

# Student Handbook

## 2021-2022



**WOODBURY**  
UNIVERSITY  
FOUNDED IN 1884

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# University Breaks and Holidays 2021–2022

(\*5-week or 7-week Intensive classes may be in session during these periods.)

## Fall Semester 2021

\*Monday, September 6, Labor Day

\*Tuesday–Wednesday, October 12–13, University Enrichment Days

Thursday–Friday Nov. 25–26, Thanksgiving

Friday, December 24–Friday, December 31, Campus Holiday Closure

\*Monday, December 13–Friday, January 14, Winter Break

## Spring Semester 2022

Monday, January 17, Martin Luther King Jr. Day

Monday, February 21, President’s Day

\*Tuesday, February 22, University Enrichment Day

\*Monday–Friday March 14–18, Spring Break

Friday, March 18, Spring Holiday

Wednesday, March 30, Cesar Chavez Day (Observed)

\*Thursday–Friday, March 31–April 1, University Enrichment Days

## Summer Session 2022

Monday, May 30, Memorial Day

Monday, June 20, Juneteenth (Observed)

Monday, July 4 Independence Day (Observed)

\*Woodbury University offices will be open during the Winter and Spring Breaks, except for the Campus Holiday Closures noted above.

# Campus Safety

Woodbury University is committed to providing a safe environment for its community members. Private security officers monitor the campus 24 hours a day, seven days a week. A security officer can always be reached by dialing extension 5208 from a campus phone or (818) 252-5208 from off campus. All members of the campus community play an important role in helping to make the campus safe and secure for everyone. By taking reasonable precautions, community members can make themselves less likely to be victimized by crime. Some of these include:

- Always lock residence hall and office doors and windows when you leave, even if it is just for a moment.
- Always lock car doors and roll up all windows.
- Call Campus Security for an escort to avoid walking alone at night.
- Do not leave valuable items unattended in public areas. Keep them out of sight in a locked drawer or other safe place.
- Do not prop open residence hall or studio doors, and do not share door codes.
- Identify your personal property by labeling, engraving, or otherwise marking it.
- If you see anything suspicious, call Campus Security immediately at extension 208 or (818) 252-5208.

## Emergency Preparedness

Woodbury University is well-prepared to respond to all emergencies through its Emergency Response Plan, which incorporates an extensive team of professionals trained to deal with potential campus-wide emergencies and coordinate with local and state first-response agencies. In the event of an emergency, this team will be activated to address whatever contingencies may arise. Details regarding the Emergency Response Plan can be found at <https://woodbury.edu/student-life/living/safety-security/>.

Please remember that emergency preparedness is also an individual responsibility. All students, faculty, and staff members should become familiar with posted evacuation routes and participate actively in periodic emergency drills.

To report an emergency, call Campus Security at extension 5208 or (818) 252-5208 OR call 911. State: "This is an emergency." Be prepared to give the dispatcher the following information:

- Your name and location
- Phone number from where the call is being made
- Type of emergency:
  - Medical
  - Fire
  - Criminal Act
  - Bomb Threat
  - Natural Disaster
- Other important information
  - Number and condition of victims
  - Location and extent of situation, hazard, fire, etc.
  - Involvement of Hazardous Materials (as available, give product name and/or describe any markings, labels, or placards).
- What is needed (chief complaint)

**DO NOT HANG UP FIRST:** Let security and emergency personnel hang up first. After the call, security will direct Emergency Response personnel to the scene of the emergency. It is important to contact Security immediately if you call 911 first.

## Important Phone Numbers

Emergency .....	911
Campus Security .....	(818) 252-5208

During an emergency, please follow the directives of security, campus administrators, and first responders.

## Notification Of Violent Crimes

Students, faculty, and staff are informed periodically about campus security procedures and useful crime prevention measures through University publications and special memos. Additionally, the University will issue timely warnings regarding incidents that may pose substantial threat to members of our campus community. Notices will be posted and distributed on campus.

## Student Right-To-Know Act

In accordance with the Campus Security/Student Right-to-Know Act, the University records and publishes campus crime statistics on an annual basis. The Security Coordinator is available to address questions about the University's security policies, crime statistics, or definitions of crimes.

# Community Standards and Policies

## Family Educational Rights & Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

- (1) The right to inspect and review the student's own education records within 45 days of the University receiving a request for access. Students should submit written requests to the registrar identifying the record(s) they wish to inspect. The University official will arrange for access and notify students of the time and place records may be inspected. Requests for records not maintained by the Registrar's Office shall be referred to the University official to whom the request should be addressed.
- (2) The right to request the amendment of a student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to request amendment of a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the University decides not to amend records as requested, the University will notify students of the decision in writing as well as of students' right to a hearing regarding requests for amendment. Additional information regarding hearing procedures will be provided to students when notified of their right to a hearing.
- (3) The right to provide written consent before the University discloses personally identifiable information from students' education records, except to the extent that FERPA authorizes disclosure without consent.
- (4) The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or

research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University.

- (5) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The mailing address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which education records and personally identifiable information contained in such records—including Social Security Numbers, grades, or other private information—may be accessed without consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to education records and personally identifiable information without consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to education records and personally identifiable information without consent to researchers performing certain types of studies, even, in certain cases, when such research is objected to or not requested. Federal and State Authorities must obtain certain use-restriction and data security guarantees from entities

they authorize to receive personally identifiable information, but Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without consent, personally identifiable information from education records, and may track participation in education and other programs by linking such personally identifiable information obtained from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

# University Code of Student Conduct

## Core Values of Student Conduct at Woodbury University

- **Integrity:** Woodbury University students exemplify honesty, honor and a respect for the truth in all of their dealings.
- **Community:** Woodbury University students build and enhance their community.
- **Social Justice:** Woodbury University students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.
- **Respect:** Woodbury University students show positive regard for each other, for property and for the community.
- **Responsibility:** Woodbury University students are given and accept a high level of responsibility to self, to others and to the community.

Woodbury University students are responsible for knowing the information, policies and procedures outlined in this document. The University reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online for the updated versions of all policies and procedures.

### SECTION 1: Philosophy Statement

The Woodbury University community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The student conduct program within the Office of Student Conduct is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community.

A community exists on the basis of shared values and principles. At Woodbury University, student members

of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Student Code of Conduct. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of the University community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in violation of the rules below, campus conduct proceedings are used to assert and uphold the *Student Code of Conduct*.

The student conduct process at the University is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of University policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

### SECTION 2: Jurisdiction

Woodbury University students are provided a copy of the Student Code of Conduct annually in the form of a link on the University portal. Hard copies are available upon request from the Office of Student Conduct. Students are responsible for having read and abiding by the provisions of the Student Code of Conduct.



The Student Code of Conduct and the student conduct process apply to the conduct of individual students, both undergraduate and graduate, including all University affiliated student organizations. For the purposes of student conduct, the University considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in the University.

The University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll and/or graduate and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student's degree.

The Student Code of Conduct applies to behaviors that take place on campus, at University sponsored events and may also apply off-campus when the Associate Dean of Students or designee determines that the off-campus conduct affects a substantial University interest. A substantial University interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University;

The Student Code of Conduct may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online.

The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials. However, most online speech by students not involving University networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:

- A true threat, defined as "a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals";
- Speech posted online about the University or its community members that causes a significant on-campus disruption.

The Student Code of Conduct applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. Visitors to and guests of University may seek resolution of violations of the Student Code of Conduct committed against them by members of University community.

There is no time limit on reporting violations of the Student Code of Conduct; however, the longer someone waits to report an offense, the harder it becomes for University officials to obtain information and witness statements and to make determinations regarding alleged violations.

A responding student facing an alleged violation of the Student Code of Conduct is not permitted to withdraw from the University until all allegations are resolved.

Email is the University's primary means of communication with students. Students are responsible for all communication delivered to their University email address.

### **SECTION 3: Violations Of The Law**

Alleged violations of federal, state and local laws may be investigated and addressed under the Student Code of Conduct. When an offense occurs over which the University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

The University reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint (additional grounds for interim suspension are outlined below, on p. 18-19). Interim suspensions are imposed until a hearing can be held, typically within two weeks. This hearing may resolve the allegation, or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed and the University may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the University will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. This delay will be no longer than two weeks from notice of the incident unless a longer delay is requested in writing by the complaining victim to allow the criminal investigation to proceed before the University process.

Students accused of crimes may request to take a leave from the University until the criminal charges are resolved. In such situations, the University procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

## SECTION 4: Polices

### A. Core Values and Behavioral Expectations

The University considers the behavior described in the following sub-sections as inappropriate for the University community and in opposition to the core values set forth in this document. These

expectations and rules apply to all students, whether undergraduate, or graduate. The University encourages community members to report to University officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 7: Conduct Procedures.

*Integrity: Woodbury University students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:*

- 1) **Falsification.** Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments;
- 2) **Academic Dishonesty.** Acts of academic dishonesty as outlined in the Code of Academic Integrity;
- 3) **Unauthorized Access.** Unauthorized access to any University building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any university building or failing to timely report a lost University identification card or key;
- 4) **Collusion.** Action or inaction with another or others to violate the Student Code of Conduct;
- 5) **Trust.** Violations of positions of trust within the community;
- 6) **Election Tampering.** Tampering with the election of any University -recognized student organization;
- 7) **Taking of Property.** Intentional and unauthorized taking of University property or the personal property of another, including goods, services and other valuables;
- 8) **Stolen Property.** Knowingly taking or maintaining possession of stolen property;

*Community: Woodbury University students build and enhance their community. Behavior that violates this value includes, but is not limited to:*

**9) Disruptive Behavior.** Substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities which occur on campus;

**10) Unauthorized Entry.** Misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a University building;

**11) Trademark.** Unauthorized use (including misuse) of University or organizational names and images;

**12) Damage and Destruction.** Intentional, reckless and/or unauthorized damage to or destruction of University property or the personal property of another;

**13) IT and Acceptable Use.** Violating the University Acceptable Use and Computing Policy, found online at: <http://my.woodbury.edu/Staff/IT/IT%20Policy%20%20Procedure/Forms/AllItems.aspx>

**14) Weapons.** Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars, or knives with a blade of longer than 2 ½ inches (without a valid educational purpose), including the storage of any item that falls within the category of a weapon in a vehicle parked on University property;

**15) Smoking**

a. Smoking is prohibited on campus, including but not limited to: any building owned, leased or rented by the University, whether on or off campus, campus grounds, at events on or off campus which are Woodbury affiliated.

b. Sale of smoking materials is prohibited on any University properties.

c. Smoking policy is inclusive of e-cigarettes, vapes or other smoking devices

**16) Fire Safety.** Violation of local, state, federal or campus fire policies including, but not limited to:

a) Intentionally or recklessly causing a fire which damages University or personal property or which causes injury.

b) Failure to evacuate a University controlled building during a fire alarm;

c) Improper use of University fire safety equipment; or

d) Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property. Such action may result in a local fine in addition to University sanctions;

**17) Animals.** Animals, with the exception of animals that provide assistance (e.g. seeing-eye dogs), and pets as outlined in the Residence Life Handbook, are not permitted on campus except as permitted by law.

**18) Wheeled Devices.** Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted inside University buildings, or residence halls. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to University property caused by these activities.

*Social Justice: Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing university community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:*

**22) Discrimination.** Any act or failure to act that is based upon an individual or group’s actual or perceived status (sex, gender, race, color, age, creed, national or ethnic origin, physical or mental ability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the University’s educational program or activities.

**23) Harassment.** Any unwelcome conduct based on actual or perceived status including: sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the impacted party and community.

a) **Hostile Environment.** Sanctions can and will be imposed for the creation of a hostile environment only when harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the University’s educational or employment program or activities.

**24) Retaliatory Discrimination or Harassment.** Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in a civil rights grievance proceeding or other protected activity under this Code.

**25) Bystanding.**

a) Complicity with or failure of any student to appropriately address known or obvious violations of the Student Code of Conduct or law;

b) Complicity with or failure of any organized group to appropriately address known or obvious violations of the Student Code of Conduct or law by its members.

**26) Abuse of Conduct Process.** Abuse or interference with, or failure to comply in, University processes including conduct and

academic integrity hearings including, but not limited to:

- a) Falsification, distortion, or misrepresentation of information;
- b) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c) Attempting to discourage an individual’s proper participation in, or use of, the campus conduct system;
- d) Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
- e) Failure to comply with the sanction(s) imposed by the campus conduct system;
- f) Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

*Respect: Woodbury University students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:*

**27) Harm to Persons.** Intentionally or recklessly causing physical harm or endangering the health or safety of any person.

**28) Threatening Behaviors:**

- a) Threat. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- b) Intimidation. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.

**29) Bullying and Cyberbullying.** Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

**30) Hazing.** Defined as an act that endangers the mental or physical health or safety of a student, or that 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. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent (and/or) failing to discourage (and/or) failing to report those acts may also violate this policy;

**31) Sexual Misconduct.** Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation (See Sexual Misconduct Policy for further information);

**32) Public Exposure.** Includes deliberately and publicly exposing one’s intimate body parts, public urination, defecation, and public sex acts.

*Responsibility: Woodbury University students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:*

**33) Alcohol.** Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the University’s Alcohol Policy;

**34) Drugs & Controlled Substances**

- a. Possession, cultivation, usage, sale, purchase, transportation, importation, distribution or manufacturing of illegal drugs and other controlled substances on University property or University sponsored programs/events is prohibited.
- b. Use and possession of marijuana on University property or University sponsored programs/ events, regardless of medical permit/doctor’s note, is prohibited.
- c. Possession, usage or distribution of paraphernalia related to illegal drugs and/or other controlled substances is prohibited.
- d. Abuse, misuse, sale and/or distribution of prescription medication, over-the-counter

medications, cleaning products & other chemicals/fumes for other than for their intended/prescribed uses is prohibited.

- e. Violation of other University policies while under the influence of drugs or controlled substances is prohibited.

Inability to exercise care for one’s own safety and/or the safety of others while under the influence of drugs or controlled substances is prohibited.

**35) Prescription Medications.** Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;

**36) Failure to Comply.** Failure to comply with the reasonable directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;

**37) Financial Responsibilities.** Failure to promptly meet financial responsibilities to the institution, including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.

**38) Arrest.** Failure of any student to accurately report any off-campus arrest by any law enforcement agency for any crime (including non-custodial or field arrests) to the Office of Student Conduct within seventy-two (72) hours of release.

**39) Other Policies.** Violating other published University policies or rules, including all Residence Hall policies;

**40) Health and Safety.** Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)

**41) Violations of Law.** Evidence of violation of local, state or federal laws, when substantiated through the University’s conduct process.

## SECTION 5: Overview Of The Conduct Process

This overview gives a general idea of how the University's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of University rules. The Office of Student Conduct may record hearings inquires, and/or conferences as deemed appropriate by the hearing officer. Students will be given notice before any recordings commence. Deliberations will not be recorded. The record will be the property of the University and maintained according to the University's record retention policy.

### Procedures

The below procedures provide a general overview of student conduct proceedings; however, these procedures are flexible based on the severity of the situation.

Any member of the University community may file a report against a student or student organization for violations of the Student Code of Conduct. All allegations should be in writing. The student conduct officer may act on notice of a potential violation whether a formal report is made.

Students should be aware the criminal (Police) and student conduct (University) processes are separate but may occur concurrently.

### INFORMAL RESOLUTION

#### Step 1. Investigation

Upon receipt of the incident report, a student conduct officer will begin an investigation that will include interviews of the respondent, the complainant and/or others as necessary. Additionally, all documentation and physical evidence will be obtained and reviewed. Upon completion of the investigation, the following may occur:

- The student conduct officer determines there is insufficient information and the case is closed.

- The student conduct officer determines there is sufficient information and proceeds with scheduling a conduct conference (step 2).

#### Step 2. Notification

The respondent will receive a formal complaint of a violation through written notice. The notice will be delivered by one or more of the following methods: emailed to the student's University-issued account and/or mailed to the permanent address according to the University's record. The letter of notice will include:

- The reported violation(s) citing the Code of Student Conduct.
- The date, time, and location of the conference.
- The rights of the respondent.

#### Step 3. Conference

During the conference, the student conduct officer will present the findings to the respondent. As a result, the following may occur:

- The respondent is found not responsible and the case is closed.
- The respondent accepts responsibility and/or the findings for the violation and the student conduct officer imposes sanctions.
- The respondent denies responsibility and/or rejects the findings for the violation but has the right to appeal the decision and sanctions imposed by the student conduct officer.
- The respondent denies responsibility for the violation and/or rejects the findings and the misconduct could result in expulsion, suspension and/or removal from housing. The student conduct officer will then refer the case to the Student Conduct Board for formal resolution through an administrative hearing.

A respondent placed on interim suspension may request to have their case heard by the conduct officer through a conduct conference or referred to the University Committee on Student Behavior.

The student conduct officer, at his or her discretion, may refer a case to the University Committee on Student Behavior for resolution.

If the respondent fails to attend the conduct conference, the student conduct officer may render a decision based on the evidence available. The respondent will then forfeit their right to appeal the decision and/or sanction(s) imposed by the student conduct officer.

### **FORMAL RESOLUTION**

The University has established appropriate student conduct panels to provide hearings concerning reported violations of the Student Code of Conduct that could result in expulsion, suspension and/or removal from housing.

#### *1. Notification*

A notice will be made in writing and delivered by one or more of the following methods: emailed to the student's University-issued email account; mailed to the permanent address according to the University's record. The letter of notice will include:

- The reported violation(s) citing the Code of Student Conduct.
- The date, time, and location of the hearing.
- The rights of the respondent.

#### *2. Hearing*

The student conduct officer will schedule a hearing with the student conduct panel no more than ten (10) business dates after the conduct conference. This may be extended when reasonably necessary. If the respondent wishes to request a delay, he/she must notify the student conduct staff within two (2) business days of the scheduled hearing.

The student conduct panel for each hearing will be composed of three (3) members from the University to include employees and students. Each student conduct panel must include at least one (1) student. All members of the student conduct panel will be selected from the student conduct board and participate in mandatory training covering all aspects of the conduct process. Students serving must be in good academic standing with no serious conduct violations at the University.

The Chief Conduct Officer or designee will serve as a non-voting chair for each hearing panel. The chair of the panel will conduct hearings according to the following guidelines:

- Hearings are closed to the public.
- Hearings are tape-recorded; however, deliberations of the hearing panel will remain private.
- Incidents involving more than one respondent, the panel will jointly conduct a hearing. Separate findings will be made for each respondent. At the discretion of the student conduct officer, individual hearings may be permitted or as required by law.
- The complainant, respondent and advisors will be allowed to attend the entire portion of the hearing except for the deliberation and findings. Only in cases involving violence or sexual misconduct, as it relates to Title IX, will the complainant be advised of the outcome.

All parties must submit questions to the conduct officer in writing at least 2 business days before the hearing. Witnesses will only attend the portion of the hearing in which they are presenting information.

- Advisors are not permitted to speak or participate directly in any student conduct hearing unless permitted by the chair of the panel.
- The panel may only rely on oral and written statements of witnesses and written reports/documents.
- After the hearing, the panel will determine, by majority vote, using a preponderance of the evidence (whether it is more likely than not) the respondent violated the Code of Student Conduct and recommend sanctions.
- A written decision will be sent to the respondent within two (2) business days after the conclusion of the hearing.

If the respondent fails to attend the hearing, the University Committee on Student Behavior may render a decision based on the evidence available. The respondent will then forfeit their right to appeal the decision and/or sanction(s) imposed by the Committee.

There are certain times of the year and possible extenuating circumstances that may remove the option of the student conduct panel. During this time, a student conduct officer will adjudicate cases. The option of a student conduct panel may be removed on the following occasions:

1. When the committee is participating in training.
2. When the University is not in session.
3. During the final two weeks of the fall or spring semester.
4. During summer sessions.

### **APPEALS**

Appeals requests are limited to the following grounds:

- 1) The conduct process as outlined was not adhered to during the original hearing and the break in process was substantial enough to have possibly affected the outcome.
- 2) To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;

The notice of appeal must contain, at a minimum, a statement of grounds for appeal and a summary statement of the facts supporting such grounds.

Upon receipt of the appeal, the Sr. VP of Academic Affairs will review and provide a written decision within five (5) business days. The respondent may request a meeting with the VP to further discuss the appeal; however, the decision is made based on the written information submitted and is final.

### **DURING THE CONDUCT PROCESS**

#### *Responsibilities*

All students are responsible for being knowledgeable about the information contained in the Student Code of Conduct. Hard copies are available upon request from the office for student conduct located in the Whitten Student Center.

University email serves as the official communication with students. It is the responsibility of all students to maintain and monitor their University email regularly to stay abreast of student conduct proceedings.

#### *Rights of the Accused (Respondent)*

- The right to confidentiality of educational records pursuant to Family Educational Rights and Privacy Act (FERPA) of 1974.
- The right to be informed of the charges against them in writing.
- The right to have a support person or advisor present during student conduct proceedings. This person may not actively participate in the hearing but may give advice to the complainant.
- The right to request, in advance, a copy of the incident report.
- The right to call a reasonable number of witnesses. Names of the witnesses must be provided to the student conduct officer at least three business days prior to the hearing.
- The right not to appear or to remain silent at the hearing. In the event the respondent does not appear at the hearing, after proper notification, the evidence in support of the violation will be presented, considered and adjudicated.
- The right to a fair and impartial hearing.

#### *Rights of Victims (Complainant)*

- The right to have a support person or advisor present during student conduct proceedings. This person may not actively participate in the hearing but may give advice to the complainant.
- The right to be informed of the outcome in cases involving violence and sexual misconduct as it relates to Title IX.
- The right to a fair and impartial hearing.



## SECTION 6: Student Conduct Authority

### A. Authority

The Sr. VP of Academic Affairs is vested with the authority over student conduct by the President. The Sr. VP of Academic Affairs appoints a Director of Student Conduct to oversee and manage the student conduct process. The Sr. VP of Academic Affairs and Director of Student Conduct may appoint administrative hearing and appeals officers as deemed necessary to efficiently and effectively supervise the student conduct process.

The Director of Student Conduct (or designee) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

### B. Gatekeeping

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing.

### C. Conflict Resolution Options

The Director of Student Conduct has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Director of Student Conduct may also suggest that complaints that do not involve a violation of the Code of Student Conduct be referred for mediation or other appropriate conflict resolution.

### D. Interpretation and Revision

The Director of Student Conduct will develop procedural rules for the administration of hearings that are consistent with provisions of the Student Code of Conduct. Material deviation from these rules will, generally, only be made as necessary

and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Director of Student Conduct may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Code. The Director of Student Conduct may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the Student Code of Conduct will be referred to the Sr. VP of Academic Affairs, whose interpretation is final. The Student Code of Conduct will be updated annually under the direction of the Director of Student Conduct with a comprehensive revision process being conducted every 3 years.

## SECTION 7: Formal Conduct Procedures

### A. University as Convener

The University is the convener of every action under this code. Within that action, there are several roles. The responding student is the person who is alleged to have violated the Code. The party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses, who may offer information regarding the allegation. There is an investigator(s) whose role is to present the allegations and share the evidence that the University has obtained regarding the allegations.

### B. Group Violations

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.

Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

**C. Amnesty:**

*1) For Victims*

The University provides amnesty to victims who may be hesitant to report to University officials because they fear that they themselves may be accused of minor policy violations at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.

*2) For Those Who Offer Assistance*

To encourage students to offer help and assistance to others, Woodbury University pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Director of Student Conduct, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.

*3) For Those Who Report Serious Violations*

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the University are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.

*4) Safe Harbor*

The University has a Safe Harbor rule for students. The University believes that students who have a drug and/or addiction problem deserve help. If any University student brings their own use, addiction, or dependency to the attention of University officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

Amnesty requests are at the sole discretion of the Director of Student Conduct and may be revoked if in

the course of a connected investigation information becomes available that the requesting student made the request in bad faith. The Amnesty Policy does not prevent action by police or other law enforcement personnel acting independently of the University.

**D. Notice of Alleged Violation**

Any member of the Woodbury University community, visitor or guest may allege a policy violation(s) by any student for misconduct under this Code.

Notice may be given to the Director of Student Conduct (or designee) and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party, and should be submitted as soon as possible after the offending event occurs. The University has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

The Director of Student Conduct (or designee) will assume responsibility for the investigation of the alleged violation as described in the sub-section below.

**E. Investigation**

Investigation is referenced in both steps 1 and 2 above, with detailed investigation procedures described in this sub-section. The Director of Student Conduct will appoint an investigator(s) for allegations under this Code. The investigator(s) will take the following steps, if not already completed by the Director or designee:

- 1) Initiate any necessary remedial actions on behalf of the victim (if any);
- 2) Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the alleged victim, or a University proxy or representative;
- 3) Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;

- a) If the victim is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the victim;
  - b) Notify the victim of whether the University intends to pursue the complaint regardless of their involvement, and inform the victim of their rights in the process and option to become involved if they so choose;
  - c) Preliminary investigation usually takes between 2-14 business days to complete;
- 4) If indicated by the preliminary investigation and authorized by the Director of Student Conduct, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated University policy, and to determine what specific policy violations should serve as the basis for the complaint;
- a) If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action taken;
  - b) A comprehensive investigation usually takes between one day and two weeks;
- 5) Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding student, who may be given notice of the interview prior to or at the time of the interview;
- a) Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during or after the responding student is interviewed, at the discretion of the investigator(s);
- 6) Interview all relevant witnesses, summarize the information they are able to share and have each witness sign the summary to verify its accuracy;
- 7) Obtain all documentary evidence and information that is available;
- 8) Obtain all physical evidence that is available;
- 9) Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;
- 10) Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- 11) Present the investigation report and findings to the responding student;
- 12) Share the findings and update the party bringing the complaint on the status of the investigation and the outcome.

#### **F. Interim Action**

Under the Student Code of Conduct, the Director of Student Conduct or designee may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of the Student Code of Conduct when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions on participation in the community for no more than twenty (20) business days pending the scheduling of a campus hearing on alleged violation(s) of the Student Code of Conduct, in cases where the university is not in normal session an extended process may be engaged in order to provide all interested parties with the opportunity to engage in the process. A student who receives an interim suspension may request a meeting with the Director of Student Conduct or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with the scheduling of a campus hearing.

During an interim suspension, a student may be denied access to University housing and/or the University campus/facilities/events. As determined appropriate by the Director of Student Conduct, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Director of Student Conduct and with the approval

of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

**G. Involuntary Withdrawal Policy**

A student who exhibits behavior: (1) that indicates the student is unable to or unwilling to carry out substantial self-care obligations, (2) where current medical knowledge and/or best available objective evidence indicates that the student poses a significant risk to the health or safety of others, (3) where the student poses an actual risk to their own safety not based on mere speculation, stereotypes, or generalizations about individuals with disabilities, (4) that poses a significant risk of damage to property, (5) that is disruptive to the normal educational processes of the University (including activities in University-owned housing), or (6) that renders him/her incapable of achieving academic goals, may be administratively withdrawn from the University. An Involuntary Withdrawal may be implemented by the Associate Dean of Students (or designee) in consultation with Academic Affairs, the Counseling Center, and/or Disability and Accessibility Services. In most cases, an Involuntary Withdrawal will be immediate and shall be for a reasonable length of time. Note that at any time prior to the implementation of an Involuntary Withdrawal, a student may choose to withdraw voluntarily. If a student wishes to appeal such a decision, they must submit an appeal in writing, within five business days, to the Sr. VP of Academic Affairs. The appeal decision will be made by the Sr. VP of Academic Affairs.

Decisions regarding Involuntary Withdrawal will be based on observations of student conduct, actions and statements, not based on knowledge or belief that the student has a disability. Before placing any student with a disability on a mandatory withdrawal, Woodbury University will do an individualized assessment to determine if there are reasonable accommodations that would permit the student to continue to participate in Woodbury University’s campus community without being withdrawn. All decisions will be made in consultation with a professional qualified to interpret the information and will include consideration of reasonable accommodations.

When a student is involuntarily withdrawn from the University, the student shall be provided with the following in writing:

- The reason(s) for this action;
- Information regarding the student’s eligibility for any tuition and/or fee refund;
- Information regarding any impact this action may have upon the student’s current grades and academic progress;
- Conditions which must be met prior to the student’s request for re-enrollment as well as the earliest date at which the student may re-enroll providing all conditions are met;
- Information regarding the student’s presence on campus or use of University services/facilities;
- Results of non-compliance with the treatment recommendations for the student’s academic future at Woodbury University (see below).

The written plan outlined above may be subject to amendment as determined by the Dean of Students or designee.

A student who is involuntarily withdrawn from the University must reapply for admission to the University in order to resume their studies.

Although this policy is not intended to be punitive, invoking the policy does not imply that the student will be exempt from regular disciplinary action according to the policies governing the university community Student Code of Conduct as outlined in the Student Handbook.

**H. Conduct Sanctions**

One or more of following sanctions may be imposed upon any student for any single violation of the Code of Student Conduct:

- 1) **Warning:** An official written notice that the student has violated University policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
- 2) **Restitution:** Compensation for damage caused to the University or any person’s property. This could also include situations such as failure to return a reserved space to proper condition—labor

costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.

**3) Fines:** Reasonable fines may be imposed.

**4) Community Service Requirements:** For a student or organization to complete a specific supervised service.

**5) Loss of Privileges:** The student will be denied specified privileges for a designated period of time.

**6) Confiscation of Prohibited Property:** Items whose presence is in violation of University policy will be confiscated and will become the property of the University. Prohibited items may be returned to the owner at the discretion of the Director of Student Conduct.

**7) Behavioral Requirement:** This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.

**8) Educational Program:** Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.

**9) Restriction of Visitation Privileges:** May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.

**10) University Housing Probation:** Official notice that, should further violations of Residence Life or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.

**11) University Housing Reassignment:** Reassignment to another University housing assignment. Residential Life personnel will decide on the reassignment details.

**12) University Housing Suspension:** Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University housing may be specified. Under this sanction, a student is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Housing and Residence Life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the student must gain permission from the Director of Housing and Residence Life (or designee). This sanction may include restrictions on visitation to specified buildings or all University housing during the suspension.

**13) University Housing Expulsion:** The student's privilege to live in, or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.

**14) University Probation:** The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.

**15) Eligibility Restriction:** The student is deemed "not in good standing" with the University for a specified period of time. Specific limitations or exceptions may be granted by the Director of Student Conduct and terms of this conduct sanction may include, but are not limited to, the following:

- a) Ineligibility to hold any office in any student organization recognized by the University or hold an elected or appointed office at the University;
- b) Ineligibility to represent the University to anyone outside the University community in any way including: participating in study abroad programs, attending conferences, or representing the University at an official function, event.

**16) University Suspension:** Separation from the University for a specified minimum period of time, after which the student is eligible to return.

Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Student Conduct. During the suspension period, the student is banned from university property, functions, events and activities without prior written approval from the Director of Student Conduct. This sanction may be enforced with a trespass action as necessary. This sanction will be noted as a Conduct Suspension on the student's official academic transcript.

**17) University Expulsion:** Permanent separation from the University. The student is banned from university property and the student's presence at any University -sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction will be noted as a Conduct Expulsion on the student's official academic transcript.

**18) Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Director of Student Conduct or designee.

The following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct:

- 1) One or more of the sanctions listed above, specifically a) through i) and o) through q); and/or
- 2) Deactivation, de-recognition, loss of all privileges (including status as a University registered group/ organization), for a specified period of time.

### I. Parental Notification

The University reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The University may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

### J. Notification of Outcomes

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence" or forcible or nonforcible sex offense, the University will inform the alleged victim/party bringing the complaint in writing of the final results of a hearing regardless of whether the University concludes that a violation was committed. Such release of information may only include the alleged student's/responding student's name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX, only, the rationale for the outcome will also be shared with all parties to the complaint in addition to the finding and sanction(s).

In cases where the University determines through the student conduct process that a student violated a policy that would constitute a "crime of violence" or nonforcible sex offense, the University may also release the above information publicly and/or to any third party. FERPA defines "crimes of violence" to include:

- 1) Arson
- 2) Assault offenses (includes stalking)
- 3) Burglary
- 4) Criminal Homicide—manslaughter by negligence
- 5) Criminal Homicide—murder and nonnegligent manslaughter
- 6) Destruction/damage/vandalism of property
- 7) Kidnapping/abduction
- 8) Robbery
- 9) Forcible sex offenses
- 10) Non-forcible sex offenses

### K. Failure to Complete Conduct Sanctions

All students, as members of the University community, are expected to comply with conduct sanctions within the time frame specified in the hearing decision. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from the University. In such situations, resident students will be required to vacate University housing within 24 hours of notification by the Director of Student Conduct, though this deadline may be extended upon application to, and at the discretion of, the Director of Housing and Residence Life and/

or the Director of Student Conduct. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Director of Student Conduct.

In the case of an organization, being “withdrawn” is equated with loss of University recognition as a registered student organization. To re-enroll or regain recognition as an organization, a student/group must have satisfactorily completed all (including any additionally assigned) conduct sanctions. This determination will be made by the Associate Dean (or designee).

Students who graduate with outstanding sanctions may be considered “not in good standing” with the University and restricted from returning to campus until the required conditions are met.

#### **L. Appeal Review Procedures**

Any party may request an appeal of the decision by filing a written request to the Sr. VP of Academic Affairs, subject to the procedures outlined below. All sanctions imposed by the original hearing body remain in effect, and all parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

#### **Grounds For Appeal Requests**

Appeals requests are limited to the following grounds:

- 1) The conduct process as outlined was not adhered to during the original hearing and the break in process was substantial enough to have possibly affected the outcome.
- 2) To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;

Appeals must be filed in writing with the Sr. VP of Academic Affairs within five business days of the notice of the outcome to the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the Sr. VP of Academic Affairs and, when appropriate, the Title IX Coordinator.

The Sr. VP of Academic Affairs will share the appeal by one party with the other party (parties) when appropriate under procedure or law (e.g., if the

responding student appeals, the appeal is shared with the complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds). The Sr. VP of Academic Affairs will refer the request(s) to the University’s designated Appeal Review Officer, appointed by Sr. VP of Academic Affairs. The Appeal Officer will also draft a response memorandum to the appeal request(s), based on the Officer’s determination that the request(s) will be granted or denied, and why.

The Appeal Review Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the Director of Student Conduct and/or Title IX Coordinator on any procedural or substantive questions that arise.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final. If the appeal has standing, the Appeal Review Officer determines whether to refer the appeal to the University Committee on Student Behavior or to remand it to the original decision-maker(s), typically within 3-5 business days. Where the original decision-maker may be unduly biased by a procedural or substantive error, a new hearing officers will be designated to reconsider the matter, which can in turn be appealed, once. Full rehearing’s by the University Committee on Student Behavior are not permitted. Where new evidence is presented or the sanction is challenged, the Appeals Review Officer will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the University Committee on Student Behavior with instruction on the parameters regarding institutional consistency and any applicable legal guidelines. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The University Committee on Student Behavior must limit its review to the challenges presented.

On reconsideration, the University Committee on Student Behavior or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds.

All decisions of the University Committee on Student Behavior are to be made within five (5) days of submission to the Panel and are final, as are any decisions made by the original hearing body, Director

of Student Conduct or Title IX Coordinator as the result of reconsideration consistent with instructions from the Appeal Review Officer.

## The University Committee On Student Behavior

Three-member University Committee on Student Behavior are drawn from the hearing panel pool, with the following requirements to serve:

- 1) they did not serve on the Panel for the initial hearing
- 2) they were not involved in the investigation in any way
- 3) they have been properly trained in appeals procedures

The Appeal Review Officer will have final authority to approve all those serving on the panel. The parties may challenge a panelist(s) on the basis of potential bias, and any panelist who cannot render an impartial decision must recuse themselves. The Appeals Review Officer will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the Appeals Review Officer will solicit a replacement from the pool of panelists.

The Director of Student Conduct or designee serves as the non-voting advisor to the panel, with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the complainant and responding student.

The presumptive stance of the University is that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the discretion of the Director of Student Conduct, and in consultation with the Title IX Coordinator when necessary, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeals Review Officer and Director of Student Conduct, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

### M. Disciplinary Records

All conduct records are maintained by the University

for seven (7) years from the time of their creation except those that result in separation (suspension or expulsion, including from housing) and those that fall under Title IX, which are maintained indefinitely.

## Policies & Procedures Sexual Misconduct (Title IX) Human Resources Office

### PURPOSE

#### Institutional Values

Woodbury University is committed to providing a non-discriminatory and harassment-free educational, living and working environment for all members of our community including students, faculty, staff, and guests. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. This policy prohibits all forms of sexual misconduct, including sexual harassment, sexual assault, stalking, intimate partner violence, and sexual exploitation. Misconduct of this nature is contrary to Woodbury's institutional values and prohibited by state and federal law.

Woodbury University encourages the prompt reporting of any incident of sexual misconduct to the University. Upon receipt of a report, the University will take prompt and effective action to end the misconduct, remedy the effects, and prevent its recurrence. This policy has been developed to reaffirm these principles, define community expectations, provide recourse for those individuals whose rights have been violated, and provide fair and equitable procedures for determining when this policy has been violated.

### SCOPE

This policy applies to all Woodbury University community members including students, faculty, staff, volunteers, vendors, independent contractors, visitors, and any individuals regularly or temporarily employed, studying, living, visiting, conducting business, or having any official capacity with the University or on University property. This policy applies to conduct occurring on Woodbury University property or at University-sanctioned events or programs that take place off campus, including study away or internship/work experience programs, and may also apply to other off-campus locations



when the University determines that the off-campus conduct has a direct impact on the educational mission and interest of the University.

This policy addresses all forms of sexual misconduct, including sexual harassment, sexual assault, stalking, intimate partner violence, and sexual exploitation against Woodbury community members of any gender, gender identity, gender expression, or sexual orientation. Woodbury University does not discriminate on the basis of sex in its educational (including admission), co-curricular, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that states the following:

*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.*

*When used in this policy, "Complainant" refers to the individual who identifies him/herself as being a victim or survivor of sexual harassment, sexual assault, stalking, intimate partner violence, or sexual exploitation. "Respondent" refers to the individual who has been accused of prohibited conduct under this policy. A third party refers to any other participant in the process, including a witness to the incident or an individual who makes a report on behalf of someone else.*

### **If You Have Been Assaulted**

Individuals who have been a victim of sexual assault, attempted sexual assault, or other form of sexual violence are encouraged to visit <https://www.peaceoverviolence.org/iii-if-you-have-been-sexually-assaulted> for comprehensive information regarding what to do, where to get support, and legal options including filing a report with law enforcement. Members of the University's Title IX team, listed below, are also available for information and support.

### **PROCEDURE**

#### **Reporting, Confidentiality and Privacy**

Woodbury University has designated a Title IX Coordinator to oversee the University's review, investigation, and resolution of reports of sexual misconduct. The Title IX Coordinator is:

- Responsible for the oversight of the investigation and resolution of all reports of sexual harassment,

sexual assault, stalking, intimate partner violence, and sexual exploitation involving students, faculty, staff, vendors, and visitors;

- Assisted by designated Title IX Investigators, who are accessible to any member of the campus community for consultation and guidance;
- Knowledgeable and trained in University policies and procedures and relevant state and federal laws;
- Available to advise any individual about the courses of action available within the University, both informally and formally, as well as within the community;
- Responsible for monitoring full compliance with all procedural requirements and time frames outlined in this policy; and
- Responsible for training, prevention, and education efforts and periodic reviews of campus climate..

#### **TITLE IX COORDINATOR:**

Natalie Avalos  
Vice President, Administrative Services/Human Resources Hensel Hall  
818.252.5107  
[natalie.avalos@woodbury.edu](mailto:natalie.avalos@woodbury.edu)

#### **TITLE IX INVESTIGATORS:**

Shannon Savage, Associate Dean of Students  
Whitten Student Center  
818.252.5252  
[shannon.savage@woodbury.edu](mailto:shannon.savage@woodbury.edu)

Naira Zakarian, Human Resources Manager/HRBP  
Hensel Hall  
818.252.5110  
[naira.zakarian@woodbury.edu](mailto:naira.zakarian@woodbury.edu)

Ian Wright, Campus Security  
Whitten Student Center  
818.252.5229

Anyone wishing to report an incident of sexual misconduct is encouraged to speak with one of the above individuals. Additionally, the University considers any faculty or staff member (other than Counseling Services staff) who have a responsibility for student welfare to be "responsible employees." This means that informing them of an incident of sexual misconduct requires them to provide notice

to the institution; all such faculty and staff (including student staff such as Resident Advisors) are required to report such incidents to the Title IX Coordinator, who are officials with authority explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the University.

All members of the University community, even those who are not obligated by this policy, are strongly encouraged to report information regarding any incident of sexual misconduct to the Title IX Coordinator. Reporting an incident of sexual misconduct does not mean that a disciplinary process will automatically be initiated. The Title IX team will conduct an initial assessment of the incident and will determine—keeping in mind the Complainant's expressed preferences—the appropriate course of action to support and protect the safety of the Complainant and the community.

Woodbury University is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. All University employees who are involved in the University's Title IX response, including the Title IX Coordinator, and investigators, and hearing board members receive specific training about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy of all individuals involved.

Individuals also always have the right to file a complaint with the Office for Civil Rights, United States Department of Education, 50 United Nations Plaza, San Francisco, CA. 94102; Phone: 415.486.5555; Email: OCR.SanFrancisco@ed.go.

Additionally, any employee who believes that he or she has been the victim of sexual misconduct may file a complaint with the California Department of Fair Employment and Housing at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) or the United States Equal Employment Opportunity Commission at [www.eeoc.gov](http://www.eeoc.gov).

### Confidential Resources

Individuals who wish to seek advice or assistance concerning, or to discuss options for dealing with, sexual misconduct on a strictly confidential basis may speak with licensed mental health provider, ordained clergy, medical providers in the context of seeking

medical treatment, and rape crisis counselors, who, except in very narrow circumstances specified by law, will not disclose confidential communications to the University or anyone.

Students who wish to speak to someone on a strictly confidential basis may do so by contacting on-campus mental health counselors in Counseling Services. Counselors are available to all students free of charge, and may be reached at (818) 252-5237 or via email at [counseling.services@woodbury.edu](mailto:counseling.services@woodbury.edu).

Faculty and staff seeking confidential support may contact Employee Assistance Program by CompPsych

Guidance Resources:

Tel: 800.311.4327

TDD: 800.697.0353

Online: [guidanceresources.com](http://guidanceresources.com) your company Web ID: GEN311

Additionally, any individual may contact 24-hour off-campus rape crisis counselors at (626) 793-3385.

### Amnesty for Alcohol or Other Drug Use

Woodbury University encourages the reporting of prohibited conduct under this policy. It is in the best interest of this community that as many incidents as possible are reported, and that witnesses come forward to share what they know. To encourage reporting, an individual who reports sexual misconduct, either as a Complainant or third-party witness, will not be subject to disciplinary action by the University for his or her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

### Bystander Intervention

The University encourages all community members to take reasonable and prudent action to prevent or stop an act of sexual misconduct. Taking action may include direct intervention (if it is safe to do so), calling law enforcement, or seeking assistance from a

<sup>1</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

person in authority. Community members who choose to exercise this positive moral obligation will be supported by the University and protected from retaliation.

### Federal and State Reporting Obligations

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (under the Clery Act). All personally identifiable information is kept confidential, but statistical information regarding the type of incident and its general location (on- or off-campus, in the surrounding area, but no addresses are given) is compiled for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime to ensure greater community safety. Mandated federal reporters include any faculty or staff member (including student staff such as Resident Advisors) except for Counseling Services staff.

The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the Complainant and may be done anonymously.

Note, in certain circumstances, California Education Code, Section 67383, requires the University to forward information concerning reports of violent crimes, including reports of sexual assaults, to a local law enforcement agency. The report is forwarded without identification of the complainant and respondent, unless explicit consent is provided by the complainant allowing for the sharing of personally identifying information.

### Federal Timely Warning Reporting Obligations

Complainants of sexual misconduct should also be aware that University administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The University will make every effort to ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

The reporters for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

## Prohibited Conduct and Definitions

Sexual misconduct includes, but is not limited to:

1. **Sexual Harassment (including sexual assault, dating/domestic violence and stalking)**
2. **Sexual Misconduct (including sexual exploitation)**
3. **Retaliation**

All policies encompass actual and/or attempted offenses.

### 1. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of California regard Sexual Harassment as an unlawful discriminatory practice.

The University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex/gender or that is sexual that satisfies one or more of the following:

- 1) **Quid Pro Quo:** An employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome<sup>1</sup> sexual conduct.

<sup>2</sup> California defines "domestic violence" as abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. In California, dating violence is included within the definition of domestic violence.

**2) Sexual Harassment:** Unwelcome conduct, determined by a reasonable person, to be so severe, and pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity.

**3) Sexual assault:** defined as:

**a. Sex Offenses, Forcible:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. A “sexual act” is specifically defined by federal regulations to include one or more of the following:

**i. Forcible Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.

**ii. Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly, and/or against that person’s will (non-consensually), or not forcibly or against the person’s will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**iii. Sexual Assault with an Object:** The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person’s will (non-consensually), or not forcibly or against the person’s will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**iv. Forcible Fondling:** The touching of the private body parts of another person (buttocks, groin, breasts), for the purpose of sexual gratification, forcibly, and/or against that person’s will (non-consensually), or not forcibly or against the person’s will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**b. Sex Offenses, Non-forcible:**

**i. Incest:** Sexual intercourse between persons who are related to each other, within the degrees wherein marriage is prohibited by California law.

**ii. Statutory Rape:** Non-forcible sexual intercourse, with a person who is under the statutory age of consent of 18 years of age in California.

**4) Dating Violence:** Violence on the basis of sex committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**5) Domestic Violence:** Violence on the basis of sex committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse, domestic partner, or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of California, or by any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of California. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.<sup>2</sup>

**6) Stalking:** Engaging in a course of conduct, on the basis of sex, directed at a specific person, that would cause a reasonable person to fear for the person’s safety, or the safety of others; or suffer

<sup>3</sup> Under California law, “any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking,” which is applicable to criminal prosecutions, but may differ from the definition used on campus to address policy violations.

substantial emotional distress. For the purposes of this definition — (a) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property; (b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant; (c) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.<sup>3</sup>

## 2. Sexual Misconduct

In addition to the forms of sexual harassment described above, which are covered by Title IX, the University additionally prohibits the following offenses as forms of discrimination that may be within or outside of Title IX when the act is based upon the Complainant’s actual or perceived membership in a protected class.

**Sexual Misconduct** is any unwelcome sexual advances, requests for sexual favors, or other unwelcome written, verbal, or physical conduct of a sexual nature when:

- Submission to the conduct is explicitly or implicitly made a term or condition of an individual’s employment, academic status, or progress, and/or
- Submission to or rejection of the conduct by the individual is used as the basis of employment or academic decisions affecting the individual, and/or
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available through the University, and/or
- The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance or of creating an intimidating, hostile, or offensive work, educational, or living environment.

Sexual misconduct can occur regardless of the relationship, position, or respective sex of the parties. It can occur between equals (e.g., student to student, staff to staff, faculty member to faculty member) or between persons of unequal power status (e.g., supervisor to subordinate, faculty member to student).

Sexual misconduct based on gender, gender identity, gender expression, sex or gender stereotyping, or sexual orientation, but does not involve conduct of a sexual nature, is also prohibited by this policy. This policy also prohibits harassment of a faculty or staff member by a student.

The conduct alleged to constitute sexual misconduct under this policy will be evaluated from the perspective of a reasonable person similarly situated to the Complainant and considering all of the facts and circumstances.

A single or isolated incident of sexual misconduct may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to provide a hostile environment, particularly if the misconduct is physical.

Examples of behavior that might be considered sexual misconduct include, but are not limited to:

- Pressure for a date or a romantic or intimate relationship;
- Unwelcome touching, kissing, hugging, or massaging;
- Pressure for or forced sexual activity;
- Unnecessary and unwelcome references to various parts of the body;
- Belittling remarks about a person’s gender or sexual orientation;
- Inappropriate sexual innuendos or humor;
- Obscene gestures of a sexual or gender-based nature;
- Offensive sexual graffiti, pictures, or posters;

- Sexually explicit profanity;
- Use of email, the internet, or other forms of digital media to facilitate any of the above referenced behaviors.

Sexual Misconduct also includes the following conduct, to the extent that it is not included in the definition of Sexual Harassment above:

**Sexual Exploitation** occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute sexual harassment under this policy.

Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy.
- Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography
- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity

- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Creation, possession, or dissemination of child pornography
- Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person;

**Other Civil Rights Offenses Based on Sex/Gender**

- **Discrimination**, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities;
- **Intimidation**, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- **Hazing**, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the University community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity.
- **Bullying**, defined as: Repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally that is not speech or conduct otherwise protected by the First Amendment.

Violation of any other University policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

### 3. Retaliation

The University prohibits individuals from engaging in retaliatory behavior, which is defined as any materially adverse action taken against a person for making a good faith report of behavior prohibited by this policy or for participating in any proceeding under this policy. Adverse action includes conduct that threatens, intimidates, harasses, coerces or in any other way seeks to discourage a reasonable person from engaging in activity protected under this policy.

Retaliation can be committed by or against any individual or group of individuals, not just a Respondent or Complainant.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The University will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

#### Consent, Force, Coercion, Incapacitation, Drugs and Alcohol

**Consent:** Consent means positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

Consent consists of an affirmative, conscious, voluntary decision by each participant to engage in mutually agreed-upon sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other to engage in said activity. The following are essential elements of effective consent:

- **Informed and reciprocal:** All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.
- **Freely and actively given:** Consent cannot be obtained through the use of force, coercion, threats, intimidation or pressuring, or by taking advantage of the incapacitation of another individual.
- **Mutually understandable:** Communication regarding consent consists of mutually understandable words and/or actions that indicate an unambiguous willingness to engage in sexual

activity. In the absence of clear communication or outward demonstration, there is no consent. Consent may not be inferred from silence, passivity, lack of resistance or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to a false conclusion as to whether consent was sought or given.

- **Not indefinite:** Consent may be withdrawn by any party at any time. Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be an expressed “no” or can be based on an outward demonstration that conveys that an individual is hesitant, confused, uncertain, or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.

Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

- **Not unlimited:** Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant.

The age of consent in California is 18 years old. See California Penal Code Section 261.5.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person

in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

In assessing consent, the Respondent's belief is not a valid excuse for a lack of consent where:

- Respondent's belief arose from the Respondent's own intoxication, being under the influence of drugs, alcohol, or medication, and/or recklessness; or
- Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented; or
- Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant could not understand the fact, nature, or extent of the sexual activity because they were asleep or unconscious; incapacitated due to the influence of drugs, alcohol, or medication; or unable to communicate due to a mental or physical condition.

**Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent ("Have sex with me or I'll hit you. Okay, don't hit me, I'll do what you want.").

**Coercion:** Coercion is unreasonable pressure for sexual activity. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

**Incapacitation:** Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction).

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. The question of whether the Respondent knew or should have known of the Complainant's lack of consent or incapacity to give affirmative consent is an objective inquiry as to what a reasonable person, exercising sober judgment, would have known, in the same or similar circumstances.

Incapacitation may result from the use of alcohol and/or drugs. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual's:

- decision-making ability;
- awareness of consequences;
- ability to make informed judgments; or
- capacity to appreciate the nature and the quality of the act.

Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

Evaluating incapacitation also requires an assessment of whether an individual knew, or should have known, that the other party was incapacitated..

**Alcohol and Other Drugs:** In general, sexual contact while under the influence of alcohol or other drugs



poses a risk to all parties. Alcohol and drugs impair a person’s decision-making capacity, awareness of the consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person’s level of intoxication. If there is any doubt as to the level or extent of the other individual’s intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual misconduct and does not diminish one’s responsibility to obtain consent.

### Supportive Measures

Supportive measures are actions taken by the University in response to a report of sexual misconduct to meet the needs and protect the rights of the parties and/or other members of the University community, as appropriate.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as available, and without fee or charge, to either or both the Complainant and Respondent involved in an incident of sexual misconduct, prior to or while a complaint resolution process is pending. An individual may request to receive support – including the measures mentioned in this section – even if they do not choose to participate in the University’s complaint resolution process.

Potential supportive measures include:

- Access to counseling services and assistance in setting up initial appointment, both on and off campus;
- Imposition of a campus “no contact” letter;
- Rescheduling of exams and assignments (in consultation with appropriate faculty);
- Providing alternative course completion options (with the agreement of appropriate faculty);
- Change in class schedule, including the ability to take an “incomplete,” drop a course without penalty or transfer sections (with the agreement of appropriate faculty);

- Change in work schedule or assignment;
- Change in on-campus housing;
- Arranging to dissolve a housing contract and pro-rating a refund in accordance with campus housing policies;
- Assistance from University staff in completing housing relocation;
- Limit an individual or organization’s access to certain University facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Providing medical services;
- Providing academic support services, such as tutoring;
- Interim suspension or University-imposed leave;
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

The imposition of supportive measures is not indicative of a determination of responsibility or any other outcome. In the case of students, such measures shall be applied to the fullest extent possible to avoid depriving any student of their education. Supportive measures may be modified at any time at the discretion of the University.

### Emergency Suspension

The University may also suspend a student or employee pending the completion of a complaint resolution process, particularly when, in the judgment of the Title IX Coordinator, the imminent physical health or safety of any member(s) of the University community may be jeopardized by the on-campus presence of the student.

A student who has been placed on interim suspension has the right, within 3 business days of the notice of the suspension, to meet with the University’s Title IX

Coordinator (or designee), to request re-consideration of the interim suspension. The University's Title IX Coordinator (or designee) will review the appeal to determine whether the decision to place the student on interim suspension was arbitrary or capricious. A decision is arbitrary and capricious where there is no rational connection between the facts presented and the decision made.

### Procedures for Complaint Resolution

The specific procedures for resolution of a complaint of sexual misconduct will vary based upon the identity of the Respondent and whether the complaint falls within the scope of Title IX:

- *For a complaint against a student*, disciplinary action may be taken by the Associate Dean of Students or his/her designee following a finding of responsibility by a Hearing Officer or Hearing Board in accordance with the Sexual Misconduct Resolution Process outlined below.
- *For a complaint against a staff member*, disciplinary action may be taken at the conclusion of the investigation by the VP, Administrative Services / Human Resources or his/her designee in accordance with procedures outlined in the Employee Handbook. Complaints that fall within Title IX may be subject to the Sexual Misconduct Resolution Process outlined below.
- *For a complaint against a faculty member*, disciplinary action may be taken at the conclusion of the investigation by the Senior Vice President, Academic Affairs or Faculty Executive Committee in accordance with procedures outlined in the Faculty Handbook. Complaints that fall within Title IX may be subject to the Sexual Misconduct Resolution Process outlined below.
- *For a complaint against a person other than a student, staff member, or faculty member*, the procedure will vary, depending on the circumstances. Complaints that fall within Title IX may be subject to the Sexual Misconduct Resolution Process outlined below.

## Sexual Misconduct Resolution Process

### OVERVIEW

As outlined in the Reporting section of this policy, an individual who wishes to make a report of sexual misconduct is encouraged to make a report directly to a member of the Title IX team. In every instance under this policy, the University, through the coordinated efforts of the Title IX team, will conduct an initial Title IX Assessment.

At the conclusion of the Title IX Assessment, the Title IX Coordinator will offer any appropriate supportive measures, refer the matter for Informal Resolution and/or refer the matter for Investigation to determine if there is sufficient information to proceed with Formal Resolution.

Informal Resolution is a non-judicial, remedies-based approach that does not involve disciplinary action against a Respondent. Formal Resolution is a judicial, sanctions-based approach that may involve discipline up to and including expulsion or termination.

### INITIAL ASSESSMENT

Upon receipt of a report, the University, through the coordinated efforts of the Title IX team, will conduct an initial Title IX assessment, typically within one to five business days. The first step of the assessment will usually be a preliminary meeting between the Complainant and Title IX Coordinator. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full forensic interview. At this meeting, the Complainant will be provided with information about resources, procedural options and supportive measures.

As part of the initial assessment of the report, the Title IX Coordinator will:

- Assess the nature and circumstances of the allegation;
- Address immediate physical safety and emotional well-being needs;

- Notify the Complainant of the right to contact law enforcement and seek medical treatment, including the importance of preservation of evidence;
- Explain and provide the Complainant with written information about on- and off-campus resources, as well as the range of possible supportive measures;
- Explain the procedural options, including Informal Resolution and Formal Resolution;
- Discuss the Complainant's preference for manner of resolution and any barriers to proceeding;
- Explain the University's policy regarding retaliation;
- Determine the respective ages of the complainant and respondent, and if one is a minor, make the appropriate notifications under California's child abuse and neglect reporting requirements; and
- If the conduct is potentially criminal in nature, arrange to enter non-identifying information about the report into the University's daily crime log.
- Notify the Complainant of his/her right to have an Advisor;
- If the Complainant has not already done so, determine if the Complainant wishes to make a formal complaint. A formal complaint is a document submitted or signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that the University investigate the allegation(s).

This initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, an investigation may continue depending on a variety of factors, such as the Complainant's wish to pursue disciplinary action, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.

*Note, the University's definition of prohibited sexual misconduct is broader than the current regulations interpreting Title IX. If the University determines at any time that a complaint of sexual misconduct does not fall within Title IX and must or may be dismissed, the University may nonetheless proceed to resolve the complaint in accordance with the procedures*

*below. Under the 2020 Title IX regulations (34CFR §106.45), the University **must** dismiss a formal complaint, or any allegations within it if, at any time during the process, it is determined that the conduct alleged in the formal complaint would not constitute sexual harassment as defined above, even if proved; and/or (1) The conduct did not occur in an educational program or activity controlled by the University (including buildings or property controlled by recognized student organizations), and/or the University does not have control of the Respondent; and/or (2) The conduct did not occur against a person in the United States; and/or (3) At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the University. The University **may** dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing: (1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or (2) The Respondent is no longer enrolled in or employed by the University; or (3) Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. If a complaint or particular allegations are dismissed under Title IX, the University will promptly send written notice of the dismissal and rationale for doing so simultaneously to the parties, and may continue to resolve the complaint under this policy in accordance with these procedures.*

At the conclusion of the Title IX assessment, the Title IX Coordinator will determine the appropriate manner of resolution and, if appropriate, refer the report for further Investigation, Informal Resolution, or Formal Resolution.

The determination as to how to proceed will be communicated to the Complainant in writing. Depending on the circumstances and requested resolution, the Respondent may or may not be notified of the report or resolution. A Respondent will be notified when the University takes action that would impact a Respondent, such as the imposition of supportive measures that impact the Respondent or the decision to initiate Informal or Formal Resolution proceedings.

## Informal Resolution

Informal resolution is a voluntary process for timely and corrective action through the imposition of

individual and/or community-focused remedies designed to maintain the Complainant’s access to the educational, extracurricular, and employment activities at the University and to eliminate a potential hostile environment. The option to pursue informal resolution will be presented to the parties only after the University has sufficient information about the nature and scope of the conduct at issue. In cases involving allegations of sexual assault or relationship violence, informal resolution is generally not appropriate.

If the Complainant, the Respondent, and the Title IX Coordinator all agree to pursue an informal resolution, the Title IX Coordinator will attempt to facilitate a resolution that is agreeable to all parties. The role of the Title IX Coordinator is not to be an advocate for either party, but rather, to aid in the resolution of issues in a non-adversarial manner. Under the informal process, the University will only conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the University, and the University community.

The University will not compel a complainant or respondent to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. If at any point during the informal resolution process, the Complainant, the Respondent, or the University wishes to cease the informal resolution process and to proceed with formal complaint resolution, the informal resolution process will stop and the formal complaint resolution process described below will proceed.

Any informal resolution must adequately address the concerns of the Complainant, the rights of the Respondent, and the overall intent of the College to stop, remedy, and prevent policy violations. The University will take appropriate actions as necessary and use its best efforts to remedy any harm that occurred and to prevent any further incidents of sexual misconduct. Examples of potential remedies are provided in the “Supportive Measures” section of this policy. The recommended resolution may also include other institutional responses or requirements imposed on the respondent.

The time frame for completion of informal resolution may vary, but the University will seek to complete the process within thirty (30) days of receipt of an initial report of sexual misconduct.

The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution and the outcome of the informal resolution process.

### **Notice of Investigation and Allegations**

Upon receipt of a formal Title IX Complaint and/or if a decision is made to proceed an investigation and/or formal resolution, the Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the process. This facilitates the Respondent’s ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that the University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about the University’s policy on retaliation,
- Information about the privacy of the process,

- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that the University's policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A copy of this policy and/or other information relevant to alleged sexual misconduct,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official University records, or emailed to the parties' University-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

### **Advisors**

A Complainant and Respondent may have an advisor and/or emotional support person (collectively referred to as an advisor) of their choice with them at all meetings and hearings at which the party is entitled to be present, including intake and interviews.

The advisor may be a friend, mentor, family member, attorney, member of the College community, or any other person, as long as they are not also a witness or otherwise a participant in the complaint resolution proceedings.

An advisor may not make a presentation or represent the Complainant or Respondent during any meeting or proceeding, except as otherwise provided herein. During any meeting or proceeding, the advisor is present to observe and provide counsel and/or emotional support to the party.

Although reasonable attempts will be made to schedule proceedings consistent with the advisor's availability, the process will not be unduly delayed to schedule the proceedings at the convenience of the advisor.

### **Investigation**

Following the initial Title IX assessment and NOIA, the University may initiate a prompt, thorough and impartial investigation. The Title IX Coordinator, in consultation with the Title IX team, will oversee the investigation.

The investigation is designed to provide a fair and reliable gathering of the facts. All individuals in the investigation, including the Complainant, the Respondent and any third-party witnesses, will be treated with appropriate sensitivity and respect. Consistent with the need for a full assessment of the facts, the investigation will safeguard the privacy of the individuals involved.

The University will designate an investigator who has specific training and experience investigating allegations of sexual misconduct. The investigator may be an employee of the University or an external investigator engaged to assist the University in its fact gathering. The University may use a team of two investigators, which may include the pairing of an external investigator with a University employee. Any investigator chosen to conduct the investigation must be impartial and free of any conflict of interest. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, the Title IX Coordinator will assign another trained administrator. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the University President.

The investigator will coordinate the gathering of information from the Complainant, the Respondent, and any other individuals who may have information relevant to the determination. The investigator

will also gather any available physical or medical evidence, including documents, communications between the parties, and other electronic records as appropriate. The investigator generally will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the investigator obtains that party's voluntary, written consent to do so. The investigator may consider prior allegations of, or findings of responsibility for, similar conduct by the Respondent. The Complainant and Respondent will have an equal opportunity to be heard, to submit evidence, and to identify witnesses who may have relevant information, and to suggest questions to the investigator to ask witnesses.

The investigator, not the parties, is responsible for gathering relevant evidence. When participation of a party is expected, the investigator will provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose.

At the conclusion of the investigation the investigator will prepare a draft investigation report summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included. The investigator will provide the parties and any respective Advisors the draft investigation report and an opportunity to inspect and review all of the evidence (inculpatory and exculpatory) obtained as part of the investigation that is directly related to the reported misconduct for a ten (10) business day review and comment period. The investigator will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The investigator should document all rationales for any changes made after the review and comment period. The investigator may share the report with the Title IX Coordinator for review and feedback. The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy

at least ten (10) business days prior to any hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.

The investigation will usually be completed within thirty (30) business days. Given the availability of witnesses or complexity of the circumstances, this time frame may be extended as necessary to ensure the integrity and completeness of the investigation.

Information gathered during the investigation will be used to evaluate the appropriate course of action, provide for the safety of the individual and the campus community, and impose remedies as necessary to address the effects of the conduct cited in the report.

The University operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

### **Threshold Determination for Non-Title IX Sexual Harassment Claims**

For a claim that is found to not fall within Title IX, the investigator will, at the conclusion of the investigation, prepare a written report synthesizing the facts for review by the Title IX Coordinator. The investigator is not charged with reaching a determination as to responsibility, which is a function reserved for the University Committee on Student Behavior or other hearing body as designated by the Title IX Coordinator.

Upon receipt of the investigative report, the Title IX Coordinator will review the report and make a threshold determination as to whether there is

sufficient information upon which an adjudicator could find a violation of policy. This threshold determination does not involve making a determination of responsibility, nor does it involve a credibility assessment. If the threshold has not been established, the Title IX Coordinator will issue a notification letter to the Respondent and the Complainant and dismissing the complaint.

If the complaint is dismissed, the Complainant will have the opportunity to seek review by the Assistant Vice President (or designee) by submitting a written request for review within five (5) business days of receipt of the notification. If an appeal is filed, the Respondent will be notified and have the opportunity to respond. The Assistant Vice President may affirm the threshold finding, reverse the finding, or remand the matter for additional investigation as warranted. The Assistant Vice President will render a decision in writing, to both parties, at the same time, within ten (10) business days of receipt of the request for review. The decision of the Assistant Vice President is final. Where a designee is chosen, the identity of this individual will be shared with both parties.

### **Formal Resolution**

Formal resolution of a complaint against a student under the Sexual Misconduct Policy will occur at a live hearing through the University Committee on Student Behavior (UCSB) or a single Chair/Decision-maker. The Title IX Coordinator, in consultation with appropriate University administrators, may refer matters subject to Formal Resolution to an external adjudicator, such as JAMS, in cases that the relevant Coordinator, in his or her sole discretion, deems appropriate. A UCSB typically consists of four members (three voting members/Decision-makers and one, non-voting Chair) who are drawn from a pool of trained faculty, staff, and students. All Decision-makers must participate in annual training on the dynamics of sexual misconduct, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, evaluation of consent and incapacitation, the application of the preponderance of the evidence standard, sanctioning, and the University's policies and procedures. The training is coordinated by the Title IX Coordinator in conjunction with campus and external partners. If conducted by an external adjudicator, such as JAMS, the Decision-maker may consist of a single individual who may also serve as the Chair.

The Formal Resolution process to resolve sexual misconduct complaints, which provides a mechanism by the accused may cross-examine witnesses through an Advisor at a hearing in which the witnesses appear in person or by other means (such as videoconferencing) and a neutral adjudicator or Decision-maker has the power independently to find facts and make credibility assessments.

If the hearing must be heard at or after the end of the semester or academic year and/or a full UCSB cannot reasonably be convened, case may be heard by a single Decision-maker or Chair, or the University may substitute an alternate appropriate method of adjudication at its discretion.

## **Hearing Procedures**

### **1. Pre-Hearing Meeting with Complainant and/or Respondent**

After the investigation report is finalized, the Title IX Coordinator may contact the Complainant and Respondent to schedule combined or separate meetings with each party. At any pre-hearing meeting, each party will receive an explanation of the hearing process and have the opportunity to ask any questions. If the Complainant and/or Respondent have elected to have Advisors throughout the hearing process, the Advisor is encouraged to accompany the Complainant/Respondent to such meetings.

The Chair may convene a pre-hearing meeting(s) with the parties and/or their Advisors to invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration based on any new information or testimony offered at the hearing. The Chair must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

The Chair, only with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator may be argued to be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with legal counsel and/or the Title IX Coordinator or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will generally not be recorded. The pre-hearing meetings may be conducted as separate meetings with each party/advisors with all parties/advisors present at the same time, remotely, or as a paper-only exchange. The Chair will work with the parties to establish the format.

## 2. Notice of Hearing

When the Chair is ready to proceed with a hearing, Notice of Hearing is sent to the Complainant and the Respondent. The Notice provides the parties with the date, time, and place of the hearing, as well as the name(s) of the person(s) hearing the case, identifies all pertinent documentary evidence, and provides the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the investigator or have proffered a written statement or answered written questions, unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The Chair will give the Decision-maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-maker who cannot make an objective

determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.

## 3. Objections to the Chair and/or Composition of the UCSB

The Complainant and the Respondent may submit a written request to the Title IX Coordinator that the Chair and/or any member of the UCSB be removed. The request must clearly state the grounds to support a claim of bias, conflict of interest or an inability to be fair and impartial. This challenge must be raised within two (2) business days of receipt of the Notice of Hearing. All objections must be raised prior to the commencement of the hearing.

## 4. Witnesses

The Complainant, Respondent, UCSB, and/or Chair all have the right to call witnesses. Witnesses must have observed the conduct in question or have information relevant to the incident and should not be called solely to speak about an individual's character.

In general, neither party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the University's investigation. If either party wishes to call witnesses, whether or not they were previously interviewed as part of the University's investigation, the following must be submitted no later than seven (7) business days before the hearing to the Chair via e-mail or in hardcopy format:

- The names of any witnesses that either party intends to call;
- A written statement and/or description of what each witness observed, if not already provided during investigation;



- A summary of why the witness' presence is relevant to making a decision about responsibility at the hearing; and,
- The reason why the witness was not interviewed by the investigator, if applicable.

The Chair will determine if the proffered witness(es) has relevant information and if there is sufficient justification for permitting a witness who was not interviewed by the investigator. The Chair may also require the investigator to interview the newly proffered witness, and/or may postpone the hearing.

If witnesses are approved to be present, the Respondent and Complainant are provided with a list of witnesses and any relevant documents related to their appearance at the hearing no later than ten (10) business days before the hearing. All parties have the opportunity to ask questions of witnesses (through the Chair, UCSB, and/or their Advisor), regardless of who called them to the hearing.

### 5. Prior Sexual History and/or Pattern Evidence

**Prior Sexual History of a Complainant:** In general, a Complainant's prior sexual history is not relevant and will not be admitted as evidence at a hearing. Where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of this policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Complainant with other individuals is typically not relevant and will not be permitted.

**Pattern Evidence by a Respondent:** Where there is evidence of pattern of conduct similar in nature by the Respondent, either prior to or subsequent to the conduct in question, regardless of whether there has been a finding of responsibility, this information may be deemed relevant and probative to the panel's determination of responsibility and/or assigning of a sanction. The determination of relevance will be based on an assessment of whether the previous incident was substantially similar to the conduct cited in the report and indicates a pattern of behavior

and substantial conformity with that pattern by the Respondent. Where there is a prior finding of responsibility for a similar act of sexual misconduct, there is a presumption of relevance and the finding may be considered in making a determination as to responsibility and/or assigning of a sanction.

The University, through the Chair, may choose to introduce this information with appropriate notice to the parties. Alternatively, a party may request in writing that information under this section be admitted. A request to admit such information must be submitted to the Chair. The Chair will assess the relevance of this information and determine if it is appropriate for inclusion at the hearing.

### 6. Evidentiary Considerations in the Hearing

Any evidence that the Chair or Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached.

### 7. Request to Reschedule Hearing

Either party can request to have a hearing rescheduled. Absent extenuating circumstances, requests to reschedule must be submitted to the Chair with an explanation for his or her request at least three (3) business days prior to the hearing.

## 8. Consolidation of Hearings

At the discretion of the Title IX Coordinator, multiple reports may be consolidated against a Respondent in one hearing if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident. Matters may be consolidated where they involve multiple Complainants, multiple Respondents, or related conduct that would regularly have been heard under this policy or the Code of Student Conduct.

## 9. Alternative Testimony Options

All parties have the right to a range of options for providing testimony and participating in the hearing process. If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator or the Chair at least five (5) business days prior to the hearing. Alternate arrangements will enable the parties and the decision-maker(s) to hear and see each other.

The Title IX Coordinator or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator or the Chair know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

### Refusal to Submit to Cross-Examination and Inferences

If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The Decision-maker(s) must disregard that statement. Evidence provided that is something other than a statement by the party or witness may be considered.

If the party or witness attends the hearing and answers some cross-examination questions, only statements related to the cross-examination questions they refuse to answer cannot be relied upon. However, if the statements of the party who is

refusing to submit to cross-examination or refuses to attend the hearing are the subject of the allegation itself (e.g., the case is about verbal harassment or a quid pro quo offer), then those statements are not precluded from admission. Similarly, statements can be relied upon when questions are posed by the Decision-maker(s), as distinguished from questions posed by Advisors through cross-examination.

The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If charges of policy violations other than sexual harassment are considered at the same hearing, the Decision-maker(s) may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their Advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's Advisor of choice refuses to comply with the University's established rules of decorum for the hearing, the University may require the party to use a different Advisor. If a University-provided Advisor refuses to comply with the rules of decorum, the University may provide that party with a different Advisor.

## 10. Recording Hearings

Hearings (but not deliberations) are recorded by the University for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted. The Decision-maker(s), the parties, their Advisors, and appropriate administrators of the University will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

## 11. Deliberation, Decision-making, and Standard of Proof

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s). The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies).

The Decision-maker(s) will review the statements and any pertinent conduct history provided by appropriate administrator and will recommend/determine the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The Decision-makers will then prepare a written statement of outcome ("outcome") and deliver it to the Title IX Coordinator, which shall include (i) a summary of the allegations which are the basis for the formal complaint; (ii) a description of the procedural steps taken in response to the complaint from the date of the receipt of the formal complaint through the outcome; (iii) the findings of fact; (iv) conclusions as to whether the findings of facts evidence a violation of the policy; and (v) a statement of, and rationale for an outcome regarding responsibility and any disciplinary sanctions imposed.

This outcome shall be submitted to the Title IX Coordinator within ten (10) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

### 12. Notification of Outcome

The outcome and information concerning the appeal process will be shared with the parties simultaneously. The outcome may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University records, or emailed to the parties' University-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

### 13. Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history

- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

#### a. Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- **Warning:** A formal statement that the conduct was unacceptable and a warning that further violation of any University policy, procedure, or directive will result in more severe sanctions/responsive actions.
- **Required Counseling:** A mandate to meet with and engage in either University-sponsored or external counseling to better comprehend the misconduct and its effects.
- **Probation:** A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular

activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

- **Suspension:** Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the University.
- **Expulsion:** Permanent termination of student status and revocation of rights to be on campus for any reason or to attend University-sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript, subject to any applicable expungement policies.
- **Withholding Diploma:** The University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- **Revocation of Degree:** The University reserves the right to revoke a degree previously awarded from the University for fraud, misrepresentation, and/or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- **Organizational Sanctions:** Deactivation, loss of recognition, loss of some or all privileges (including University registration) for a specified period of time.
- **Other Actions:** In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

*b. Employee Sanctions/Responsive Actions*

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- Warning – Verbal or Written
- Performance Improvement Plan/ Management Process
- Enhanced supervision, observation, or review

- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Reassignment
- Delay of tenure track progress
- Assignment to new supervisor
- Restriction of stipends, research, and/or professional development resources
- Suspension with pay
- Suspension without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions

The University may assign any other responsive actions as deemed appropriate.

**14. Withdrawal or Resignation While Charges Pending**

**a. Students:** If a student has an allegation pending for violation of the sexual misconduct policy, the University may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the University, the resolution process ends, as the University no longer has disciplinary jurisdiction over the withdrawn student. However, the University will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The

student who withdraws or leaves while the process is pending may not return to the University. A hold will be placed on the ability to be readmitted. They may also be barred from University property and/or events.

If the student Respondent withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to the University unless and until all sanctions have been satisfied.

**b. Employees:** Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the University no longer has disciplinary jurisdiction over the resigned employee. However, the University will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with the University, and the records retained by the Title IX Coordinator will reflect that status.

All University responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

## 15. Appeals

Either party may appeal the outcome in writing to the Title IX Coordinator’s designee (the “Appeals Officer”). The appeal will be conducted in an impartial manner by an impartial Decision-maker. The appeal must be filed in writing within five (5) business days of receiving the outcome. The appeal should consist of a plain, concise and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal. The Complainant and/or Respondent may appeal only the parts of outcome directly relating to him/her. Dissatisfaction with the outcome of the hearing is not grounds for appeal.

The only grounds for appeal are:

- A. Procedural irregularity that affected the outcome of the matter;
- B. New evidence that was not reasonably available at the time the outcome regarding responsibility or

dismissal was made, that could affect the outcome of the matter; and/or

- C. The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the investigators and/or the original Decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given ten (10) business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appeals Officer and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in ten (10) business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeals Officer will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and the Appeals Officer will render a decision in no more than five (5) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.

A Notice of Appeals Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeals Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address

of the parties as indicated in official institutional records, or emailed to the parties' University-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

If the appeal is based on procedural or substantive error, the Appeals Officer may return the complaint to the original Decision-maker(s) with instructions to reconvene to remedy the error, or in rare cases where the error cannot be remedied, the Appeals Officer can ask that a new hearing occur before a new Decision-maker or newly constituted UCSB. In the case of new and relevant information, the Appeals Officer can recommend that the case be returned to the original Decision-maker or UCSB to assess the weight and effect of the new information and render an outcome after considering the new facts. The reconsideration of the Decision-maker or UCSB is final.

Appeals are not intended to be full rehearing of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the grounds for appeal. This is not an opportunity for the Appeals Officer to substitute his/her judgment for that of the original hearing body merely because he or she disagrees with its finding and/or sanctions. Appeals decisions are to be deferential to the original hearing body, making changes to the finding only where there is clear error. The Appeals Officer can affirm or alter the original findings, depending on the basis of the requested appeal.

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

The University may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

## 16. Records

The University will maintain for a period of at least seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the University's education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. The University will make these training materials publicly available on the University's website.
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
  - a. The basis for all conclusions that the response was not deliberately indifferent;
  - b. Any measures designed to restore or preserve equal access to the University's education program or activity; and
  - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The University will also maintain any and all records in accordance with state and federal laws.

## 17. Disabilities Accommodations in the Resolution Process

The University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the University's resolution process.

Anyone needing such accommodations or support should contact the Director of Student Services (for students) or Vice President for Human Resources (for employees and others), who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

# Residence Hall Community Living Standards

## Access/Keys

Residents will be able to use their Student ID to access the residence halls. Residents will also be issued keys to their room, which they are expected to use responsibly. The effectiveness of our safety precautions is dependent upon responsible action by members of the community:

1. Students are not to loan their Student ID or keys to others at any time.
2. Tampering with any lock is strictly prohibited.
3. Keys are the property of the University and must be returned when a student checks out of the room or at the request of Residence Life or Student Affairs Staff.
4. No keys may be duplicated. Residents found duplicating University keys are subject to conduct action as well as the cost of rekeying.
5. Should a key be lost or stolen, the resident is responsible to immediately report to Residence Life or Student Affairs Staff so that appropriate steps can be taken to prevent illegal entry. There will be a mandatory lock and key replacement fee to be determined by the locksmith. Arrangements for a new lock and/or key must be made with the Residence Life Coordinator. Refer to the Lockout Policy for information.
6. Should a Student ID be lost or stolen, the resident is responsible to immediately report to Campus Security by emailing [HelpDeskCampusSecurity@woodbury.edu](mailto:HelpDeskCampusSecurity@woodbury.edu) so that appropriate steps can be taken to prevent illegal entry. Arrangements for a new Student ID must be made to Campus Security by emailing [HelpDeskCampusSecurity@Woodbury.edu](mailto:HelpDeskCampusSecurity@Woodbury.edu). Once you give Campus Security written confirmation to have your Student ID replaced, you will be charged the mandatory replacement fee, as determined by Campus Security, to your student account.

7. Failure to timely report a lost Student ID card or room key may result in appropriate conduct action. Such cases include, but are not limited to, unauthorized individuals accessing the residence halls with lost keys or cards, or duplication of a room key.

## Alcohol

Alcohol is not allowed in the residence halls. Empty alcohol bottles are also prohibited in the residence halls, even for decorative purposes.

## Alterations

No changes will be made in the residence hall by the Student without written permission from the Residence Life Coordinator. This includes, but is not limited to: shelves, partitions, clothes line, lofts, window coverings, wallpaper, painting, plumbing, electrical, heating, other structural changes or alterations to furniture, or the removal of Woodbury University furniture and its replacement with items owned by the Student.

## Bathrooms

Residents and guests who identify as male must use residence hall bathrooms designated for males. Residents and guests who identify as female must use residence hall bathrooms designated for females.

## Bicycles, Skateboards, Skates And Scooters

Bicycles, skateboards, roller skates, in-line skates, scooters and other such items may not be ridden in the residence halls. Bicycles may not be parked in walkways, hallways, stairways, or entrances. Bicycles should only be locked to bicycle racks.

## Community Damages

A community area is defined as any area other than individual student rooms. For example: bathrooms, hallways, lounges, exterior doors, stairwells, balconies, etc. Charges for damage to community areas in a residence hall will be the responsibility of:

1. Any individual who accepts responsibility for or is found to be responsible for the damage; or
2. All of the residents of a particular wing, hall, floor, or building where the damage occurs. The Residence Life Coordinator, in consultation with the Maintenance Department, shall determine this charge.



## Controlled Substances

(See Student Code of Conduct, "Drugs & Controlled Substances.")

## Cooking

Cooking in rooms is strictly prohibited. Cooking appliances with exposed heating elements or high energy consumption, such as microwaves, air fryers, hot plates, electric coffee pots, immersion heaters, popcorn poppers, crock pots, electrical heaters, electric frying pans, electric woks, stoves, toaster ovens, air conditioners, torchiere style halogen lamps, ultra-violet sun lamps or any other appliance which uses over 800 watts of electricity (with the exception of hair dryers), and/or any appliance that does not meet current UL specifications are not permitted in residents' rooms. All cooking must take place in the residence hall community kitchens. As members of a community, students should remember the following when using a kitchen area:

Residents are responsible for cleaning appliances, dishes, etc. that they use. Dishes left dirty in the kitchen or bathrooms for more than 24 hours will be thrown out. Items may not be stored on top of the refrigerator. Please do not leave personal belongings in the kitchen.

Refrigerators are for all residents to use. Residents should mark their food with their name, room number, and date the item was placed in the refrigerator. Refrigerators will be cleaned at the end of each term and unmarked and spoiled food will be thrown out.

The University does not accept responsibility for food left in refrigerators; therefore, students should respect the personal property of others and refrain from using or taking food left by other resident students without their expressed consent to do so. Students will be subject to disciplinary action if they remove another student's personal belongings from the kitchen area(s).

When cooking, students must be present in the kitchen area. Students are not permitted to cook food in the microwave unless present. Disciplinary action, including fines, will be taken if these procedures are not followed.

A student failing to maintain the safety of the kitchen will be fined \$25.00 and may face additional

disciplinary action. This includes leaving an oven or cooktop on after food preparation is completed or failing to clean up spills.

## COVID-19

Preventing and mitigating the spread of COVID-19 on campus and in the residence halls is an utmost importance in ensuring the safety and wellbeing of the residential community.

Because COVID-19 is a highly contagious disease, congregated living settings such as the residence halls are areas where transmission is at a higher risk, including, but not limited to, high-touch surfaces such as exterior entrance doors, bathrooms, laundry rooms, and kitchens. Residents are expected to follow these requirements to protect themselves and others while in the residence halls:

1. Any overnight or visiting guests are not allowed in the residence halls.
2. Masks must be properly worn whenever residents are outside of their rooms.
3. A physical distancing of at least 6 feet must be followed between residents.
4. Gatherings are prohibited in and around the residence halls.
5. Follow posted occupancy limits for community spaces such as bathrooms, kitchens, laundry rooms, etc.
6. A resident must remain in their room and contact Health Services if they are feeling sick.

Students failing to comply with these requirements may be subject to conduct action or penalty. Please note that additional changes and updates due to COVID-19 will be communicated via email and posted in the residence halls.

## Disruptive Behavior

Behavior which disrupts the residential environment infringes on the rights of others in the community or corrupts the generally accepted sense of public decency within the community is prohibited. This includes, but is not limited to, throwing items in the hallways, bouncing balls on the floor/hallways,

throwing objects from windows or balconies, standing, sitting on, or jumping off rooftops or balconies, indecent exposure, or any other behavior which may disrupt other students' attempts to study or sleep.

## Electrical Appliances

The following appliances are not permitted in the residence halls: any appliance requiring 220 volts or 1500 watts, hot plates, air conditioners, or any appliance with an exposed heating element. In each room residents may have: one small refrigerator (3.0 cubic feet or smaller capacity, 1.5 amps or smaller rating, Energy Star Qualified), and one single-serve coffee machine. Use of all other appliances is prohibited.

## Filming

Filming of any kind is not allowed in any communal spaces (lobby, hallways, kitchen, etc.) without the express prior approval of the Residence Life Coordinator. Any requests for external filming must be submitted through the FREA process and requires at least 2 weeks advance notice. Students wishing to film for classes or other minor projects may film within their own residence hall rooms as long as no equipment or other hazards are present outside of the room.

## Fire Safety

1. Tampering with fire doors, smoke detectors, pull stations, fire extinguishers, sprinkler heads, or other fire safety equipment is prohibited.
2. Students must immediately evacuate when a fire alarm sounds, and may not re-enter until the alarm has been silenced and the all clear is given by a University staff member.
3. Students must wear face coverings while they are evacuating during a fire alarm.
4. Leaving items unattended on a residence hall stove or in an oven at any time is prohibited.
5. The following items are prohibited in the residence halls: candles and incense (even for decorative purposes), cooking appliances that are not University-approved (see Cooking policy for more information), air conditioning units or ceiling fans not installed by the University, live Christmas trees and wreathes, extension cords, and halogen lamps.

6. Students may not tamper with or augment any electrical devices, which may lead to harm. Any surge protectors utilized may not cause damage to surrounding facilities or cause harm to others attempting to enter to utilize the space.

Only University-approved appliances are permitted. See Cooking policies for more information.

## Guests

A "guest" is defined as any individual who does not live in a student's assigned room. Due to COVID-19, residents are not allowed to have any overnight or visiting guests. To lower the transmission risk of COVID-19, Residents must only enter the floor and building that they are assigned to.

## Hallways

Students must remove all personal belongings from the hallways. Items left in the hallways, including room furniture, are considered fire hazards. Any items left in the hallways may be discarded. Residence Life is not responsible for any lost, damaged, or stolen items left in the hallways.

## Health Insurance

Woodbury University requires that all residents have medical insurance. In the event of illness or injury, the University is authorized to contract emergency care on behalf of and at the expense of the student.

For detailed information on the Woodbury University Plan, please visit <https://clients.garnett-powers.com/univ/woodbury/>

## Lockout Policy

Residence Life recognizes that students will occasionally lock themselves out of their room. Residents who check out loaner keys, loaner IDs, or call the RA on Duty for assistance more than three times an academic semester will be subject to fines. The first three lockouts during the academic semester will not result in a fine except in cases outlined below.

Students will be assessed a \$100 charge for lost keys. Students will be charged the same amounts for failure to return room keys within 24 hours after acquiring a temporary key, upon checking out, and/or leaving the university.

If the resident locks themselves out while in possession of the temporary key, ID, and/or require additional personnel to access their room the resident will automatically be charged \$25 per incident regardless of number of lockouts.

Once the student regains access to their room the temporary keys must be returned to the Housing office within the time specified. Failure to do so will result in a room lock change, and a lost key fee. The student assigned to the room is responsible for fees associated with changing locks.

If a key is returned without the proper key code, is blank, or is the wrong key for their assigned room, the student will be assessed a \$150 charge to change the room lock.

Residents must return all assigned room keys at the time of checkout; keys sent in the mail after checkout will not be accepted, except in cases where the resident has obtain explicit permission from the Residence Life Coordinator or designee.

After 3 lockouts, residents will be charged a lockout fee for each lockout and must meet with the Residence Life Coordinator:

- 4th Lockout = \$25
- 5th Lockout = \$50
- 6th Lockout or more = \$100

## Musical Instruments

Practicing musical instruments in residence halls is prohibited if it can be heard outside the room.

## Noise/Quiet Hours

Noise can be very disruptive to a community and, therefore, courtesy hours are in effect 24 hours a day, seven days a week. If someone asks a resident to reduce the volume of his or her stereo, voice, etc., the request must be honored. Residents are expected to anticipate and respect the needs of other residents, specifically the need to live in an environment with minimum annoyances to pursue academic goals and promote student wellness. In the spirit of community consideration, stereo speakers and stereos must not be directed out of windows/doors or used outside

the living unit. Stereos should be played at levels that do not disturb others. Music, talking, or other sounds are too loud if the sound can be heard by neighbors, in the corridor, or outside the building. Repeated disregard for appropriate sound levels will result in the removal of the equipment from the student room.

In addition to courtesy hours, quiet hours are in effect during the following times: Sunday - Thursday: 10pm to 8am

Friday - Saturday: Midnight to 9am

During exam periods quiet hours will be in effect 24 hours a day.

## Pets

Animals, except for fish, are not allowed in the residence halls at any time, including brief visits by family or friends. Fish are allowed in the residence halls with a maximum tank size of 10 gallons. The resident is responsible for any water damage caused by the tank. All electrical fish tank equipment must be unplugged during times when the halls are closed. This policy does not apply to service animals, defined by the Americans with Disabilities Act as an animal "that is individually trained to do work or perform tasks for the benefit of an individual with a disability."

## Rightful Occupancy

The University's rooms are designed for occupancy by one, two, three, or four students (as assigned). Students may not sublet a University room to another person. Residence hall rooms are for the exclusive use of full-time Woodbury University students, and not intended for families, spouses, and/or domestic partners.

## Room Changes

Students may request to change rooms by emailing [housing@woodbury.edu](mailto:housing@woodbury.edu) with the requested change and the reason for wanting to change rooms. Any student who requests to be changed rooms may be charged an administrative fee of \$50 per move at the discretion of the Director of Housing or designee.

## Room Personalization

Residents are encouraged to make their residence hall room their home by personalizing their rooms. The following rules should be kept in mind when decorating to avoid damage charges:

1. Building alterations, additions or changes to rooms may not be made. Alterations may result in charges to return the room to its original condition.
2. Damage to wall surfaces can be prevented. When hanging things on walls avoid using nails and/or tape. By using a product such as "Sticky Tac", "Hold It", or "Blu-Tac" you can minimize damage to walls. Scotch and duct tape will also remove paint and damage walls. Students will be charged for damaged walls regardless if steps were taken to repair such damage.
3. The University reserves the right to dispose of all stored items not properly claimed or for items left in rooms after student has vacated the assigned space.
4. University Furniture: The University provides each resident with a bed frame or loft, mattress, desk, chair, chest of drawers and closet space. No University owned furniture may be removed from the room that it is assigned without authorization from the Director of Housing or designee. Residents may rearrange the furniture inside their room provided it is returned in its original condition and location at the time of checkout. Furniture from any vacant room or community area may not be moved into another room. Students who are found to be in possession of University furniture not assigned to that specific room may be subject to conduct action.
5. Non-University Furniture: Upholstered furniture used in University residence halls must have fabrics that meet the criteria of California Flammability Bulletin 117. Only furniture that meets this fire retardant code will be allowed in University residences. It is the student's responsibility to ensure that any furniture he/she brings onto campus meets these codes. This automatically eliminates vinyl furniture such as bean bag chairs and upholstered furniture that is not classified as being fire retardant. Students bringing furniture on to campus must have written verification that the furniture is up to code. Waterbeds are not permitted.
6. Lofts: In rooms where homemade or rented lofts are permitted, lofts must meet all fire retardant and safety codes. Wood material used must either be pre-treated wood and stamped indicating that it is flame resistant material or be coated with a UL flame retardant coating that has been rated for flame spread of 25 or less or has a zero flash point. All surfaces must be treated. All lofts must be inspected and approved by an authorized representative of the Residential Life staff member within 24 hours of being set up. Lofts which do not pass inspection must be removed from the premises within 24 hours. Students failing to comply with these requirements may be subject to conduct action or penalty.
7. A surge protector should be used with all stereo, computer, television or other sensitive electronic equipment. The University is not responsible for any damages that occur due to electrical surges.

## Smoking

In accordance with Section 41.5 of the Los Angeles Municipal Code, smoking is prohibited in the University residence halls. This includes individual rooms, lobbies, lounges, corridors, bathrooms, etc. Additionally, all smoking by faculty, staff, students, and visitors is prohibited on campus. This includes the use of electronic smoking devices, vapes, and Juuls. Please see the Student Code of Conduct for more information.

## Solicitation And Posting

No advertising, selling or commercial soliciting is permitted in the residence halls. Student Affairs must approve the posting flyers in the residence halls. No sign, banner, signal, advertisement, aerial or other equipment or illumination may be exposed on, or at, any window or other part of the residence halls.

## Student Housing Contract

The Student Housing Contract is a legally binding document between the University and the student. This Contract is valid for one full academic year. All on-campus residents accept the terms of the contract upon retaining possession of room keys. When a student accepts the aforementioned agreement, the student agrees to stated conditions regarding the usage of the residence hall facilities and the rights of others who live there. The student is responsible and accountable for upholding their part of the Contract. The Student Housing Contract shall be considered applicable and binding for all Woodbury University students residing in the residence halls, regardless if

it were signed prior to the start of occupancy. Hard copies of the Student Housing Contract are available in the Office of Residence Life.

## Trash

Residents are responsible for keeping their rooms and community areas clean and free from litter. Trash must be taken to trash dumpsters located outside of the building. Trash may not be taken to or left in lounges, kitchens, bathrooms or other community areas.

## Unauthorized Entry

Only residents and authorized persons are allowed in the residence halls. Students should not grant residence hall access to individuals who are not residents of the hall or who they do not know. Only authorized persons are allowed to enter restricted areas in the residence hall. These areas include but are not limited to storage rooms, electrical rooms and boxes, maintenance and housekeeping closets, and roof areas.

## University Breaks

The Residence Halls are closed during Winter Break, with the exception of designated Winter Break housing. All residents must leave their rooms by the designated closing time and may not return until the residence halls re-open. Residents who do not vacate the residence halls by checkout time will be assessed a \$100 Failure to Vacate Fee.

## Windows And Window Screens

Tampering with or removing window screens is prohibited. Residents will be billed for the repair or replacement of damaged screens. Students are prohibited from climbing in or out of residence hall windows.

# Computer Use

## Woodbury IT Policy and Procedures

### Policy

This policy is applicable to all members of the campus community, whether on the premises or elsewhere, and refers to all computer information resources whether shared, standalone, portable, or networked. The University views the use of its computers, networks, and internet access as a privilege, not a right, and seeks to protect legitimate computer users by imposing sanctions on those who abuse that privilege.

### Procedure

The University honors and respects the academic freedom of its members and strives to permit maximum freedom of computer use consistent with current University policy and state and federal law. Within those guidelines, the University expects responsible and ethical behavior when using computers and computer technology as follows:

1. Respect the rights afforded by the First Amendment and by academic freedom, but understand that these rights do not extend to messages or images that would be considered:
  - a. Obscene or patently offensive
  - b. Libelous
  - c. Threats of violence or incitement to lawless action
  - d. Demeaning or harassing to individuals or groups
  - e. Disruptive to the academic environment

The above actions are violations of University policy and may result in criminal prosecution or civil liability.
2. Respect and demonstrate sensitivity toward the standards of others. If dealing with messages or images that might be offensive to others, attempt to do so privately and remember that good

manners and courteous behavior do not stop at the computer screen.

3. Respect the privacy of others by not seeking information on, obtaining copies of, or modifying files, tapes, or passwords belonging to others.
4. Respect the legal protection provided by copyright and licensing of programs, data, and other sources of information by not distributing or making copies of text or software without the permission of the copyright holder. Do not place illegally obtained software on University computers or networks.
5. As users, employees are responsible for any use or misuse of any log-in by themselves or others using an individual computer or account. It is advisable that all reasonable precautions be taken to ensure that unauthorized use of an individual account is prevented. A terminal or personal computer should not be left unattended once an account has been logged into. Passwords should not be shared and should be changed frequently.
6. Respect the intended usage of systems for electronic information exchange, including the World Wide Web and email:
  - a. All currently active students, faculty and staff members will be issued an email account.
  - b. All Woodbury-related business and communication should be done using a woodbury.edu email address.
  - c. Alumni and emeriti will continue to keep their woodbury.edu email addresses. Those who currently have Google woodburyuniversity.edu accounts will be able to continue using them.
  - d. Do not forward electronic chain letters on the campus network.
  - e. Do not use University computing and network resources to promote commercial or profit-making activities or unsanctioned non-University activities.
  - f. Do not send forged or bulk emails.

- g. The Woodbury University email system is University property to be used only for approved purposes.
  - h. Email messages are not protected by privacy legislation and should be considered University property. Email should not be used for sensitive information.
  - i. Users may not produce or distribute offensive graphics, messages, or text. This includes, but is not limited to, pornographic materials and ethnic, racial, or religious slurs.
  - j. The University reserves the right to monitor the email systems for purposes of administration and message forwarding. In the event that inappropriate behavior is observed during such monitoring, the University also reserves the right to address such behavior. Designated individuals within Technology Services are afforded "authorized access" as agents of the University.
  - k. Email storage limits for faculty, staff, and students will be established by the IT office.
7. Respect the integrity of the network as follows:
- a. Do not use any programs, transactions, data, or processes that infiltrate a system or damage or alter the software or data components of a system.
  - b. Do not alter any system or network software.
  - c. Do not attempt to crash systems or networks.
  - d. Do not introduce viruses into systems.
  - e. Do not install or modify any on-campus University hardware without explicit authorization from the appropriate service provider.
  - f. Online gaming may be allowed depending on the network environment. Permissions may be granted on a case by case basis.
8. Respect the University's need to monitor its own systems. Woodbury does not routinely monitor email or other electronic communications; however, email and files stored on the University system are not private. Deleting a message is no guarantee that the message isn't stored elsewhere.
9. Respect data stored on PCs by backing up frequently. IT encourages users to backup data on their shared network drive whenever possible.

## IT Onboarding/Off-boarding Instruction

The following are specific instructions for setting up new faculty or staff members who have recently entered Woodbury. Submit the onboarding form 5 days prior to any new hire's start date.

### *Onboarding Instruction:*

1. Department representative fills out New User request form with required application access checked at, 'IT New User Request and Existing User Change Form.'
2. Please specify any special equipment needs in the Special Requests/Comments area (e.g., laptop or desktop computer, phone extension, etc.)
3. New User request form is then sent to helpdesk@woodbury.edu as an attachment.
4. IT then creates user's Active Directory account, grants application access, adds user to department security and distribution groups, and creates user email account.
5. Head of IT department signs off on completion.

### *Off-boarding Instruction:*

1. Supervisor of employee completes the following form: <http://woodbury.edu.sharepoint.com/>, 'IT Employee Termination Form.'
2. After Termination/transfer notification form has been approved by HR, it is then sent to helpdesk@woodbury.edu as an attachment.
3. IT sets up email forwarding and phone for replacement if any. If no replacement, user's AD account is disabled and removed from distribution list and security group, and mailbox is hidden.

4. Collect any laptop or other IT-related equipment.
5. Head of IT department signs off on completion.

## Privacy

All users retain the right of privacy in their personal files and data, emails, and voicemails as long as they are using IT resources in a manner consistent with the purposes, objectives, and mission of the University and its IT policy. Likewise, users are obligated to respect the rights of privacy that others expect in their own systems, data, and accounts.

Users should be aware that the University cannot guarantee security and privacy during use of its IT resources. To the contrary, various uses of IT resources, or access in general, may not always be private. For example, issuance of a password or other means of access is to assure appropriate confidentiality of University-related information and files. However, it does not guarantee privacy in all cases, especially for personal or unlawful use of IT resources.

Moreover, users should note that, in emergency situations, the University may also require backup and caching of various portions of IT resources; logging of activity; monitoring of general usage; and other activities that are not directed against any individual user or user account, for the purposes of emergency maintenance or restoring normal operations of IT resources.

In the event the University has reasonable suspicion that a user has violated any civil or criminal law, the University Code of Conduct, IT policy, or any other University policy, procedure, or regulation, the University reserves the right to access, inspect, monitor, remove, take possession of, or surrender to civil or criminal authorities the offending content, with or without notice or consent of the user. The University may also do so for the purpose of satisfying any legal, regulatory, or government request.

Further, the University may monitor IT resources to ensure that they are secure and being used in conformity with IT policy and other University guidelines. Thus, to the extent allowed by applicable law, the University reserves the right to examine, use, and disclose any data or content found on the University's IT resources for the purposes of furthering the health, safety, discipline, security, or intellectual or

other property of any user or other person or entity. Information that the University gathers from such permissible monitoring or examinations may also be used in disciplinary actions.

This limited exception to the general right of privacy in the context of acceptable use of IT resources can be authorized for reasonable cause only by a duly elected officer of the University—namely, the President and Vice Presidents and, in the case of faculty, with notice to the President of the Faculty Senate. Any action taken by the University based on the content or information obtained will be subject to the procedural safeguards accorded under the student handbook, and all other student policies and procedures promulgated by the Office of Academic Affairs.

## Monitoring, Reporting, Violations, and Sanctions

### Monitoring

As noted above, the University may, but is not required to, monitor, block, or otherwise prevent inappropriate use of IT resources. Nonetheless, in the event of a violation or failure to comply with this IT policy, the University may monitor any user's access and use of IT resources in order to determine whether violations have occurred. If violations are found, the University may initiate charges and impose appropriate sanctions by following the various processes and procedural safeguards that are applicable to the user's employment or enrollment status.

### Reporting

Users have an obligation to report violations of IT policy as well as any potential security or other breach of any portion of IT resources. Reporting of any such violations or other issues involving the inappropriate use of IT resources should be referred to:

The Dean of Students (or delegate) if the alleged offender is an undergraduate student or a graduate student.

The Vice President if the alleged offender is an administrator.



The appropriate Academic Dean or Vice President for Academic Affairs, if the alleged offender is a faculty member.

The Executive Director of Human Resources, if the alleged offender is any other employee who does not fall into any of the above categories; or

The Vice President for Information Technology/CIO, for all other alleged offenders.

### Violations

A violation of the IT policy is considered a violation of the University's principles, objectives, and standards. Depending on the severity of violation, it may also violate the University's other policies or even local, state, federal, or international law. Accordingly, in response to any given violation, the University may impose penalties ranging from the termination of the user's access to IT resources to disciplinary review and further action including, but not limited to, non-re-appointment, discharge, or dismissal. In cases involving egregious violations, the University may institute legal action or cooperate with actions brought by applicable authorities or third parties.

### Sanctions

In addition to liability and penalties that may be imposed on users under international, federal, state, or local laws, users who fail to fulfill their responsibilities or engage in prohibited conduct will be subject to sanctions imposed by the University. Sanctions against students are listed in the Student and Residential Life Handbooks. Faculty members are subject to disciplinary action including reprimand, suspension, and dismissal as stipulated in Article IV of the University Statutes. Administrators and staff are subject to disciplinary action under their respective handbooks and collective bargaining agreements. Depending on the nature and severity of the violation, sanctions can range from various levels of warnings to immediate termination of employment or enrollment.

The University will exercise good faith and proper discernment in its enforcement of IT policy. It will respect the academic freedom to which users are entitled insofar as the legal rights and responsibilities of the individual user and the University require. Failure to take action in any particular instance does not constitute an alteration of the IT policy or a waiver of any right or remedy available to the University.

Under no circumstance shall the University be liable to any user or third party for any violation including, but not limited to, illegal or improper acts, that any user commits through use of IT resources.

## Wireless Network Policy

Woodbury University maintains a wireless network throughout campus. The wireless network consists of access points that are connected to the network and provide wireless network connectivity for personal equipment. The radio waves are transmitted at 2.4GHz and 5.0 GHz, which allow devices (laptops, mobile devices, etc.) to connect to the network. Woodbury is currently using Cisco Wireless architecture based on the 802.11g/n wireless standard. Only IT staff is allowed to install access points. Apple AirPort Stations, for example, are not permitted on campus. This ban includes any wireless-equipped devices configured to act as access stations. Adapters are permitted, but access points or any wireless devices acting as access points are prohibited. Also, the use of ad-hoc wireless networking is not permitted on campus, as this will interfere with the network. Due to the complex nature of wireless technologies, all members of the campus community must assist in minimizing potential interference from 2.4GHz cordless phones and other devices that use the 2.4GHz frequency band. IT will not actively scan the airspace for potential interfering devices but reserves the right to restrict the use of all 2.4 GHz radio devices in all buildings and all outdoor spaces on the Woodbury University campus.

Violations of this policy will generally be referred to the standard disciplinary process or to the appropriate department head for action.

## Peer-To-Peer Policy

Peer-to-peer (P2P) applications are defined as programs which allow computers to share data in the form of music, movies, games, or any computer file or software over a local network and the internet without accessing a centralized distribution server or set of servers. The University prohibits and blocks the use of peer-to-peer applications on networks within the residence halls and on public WiFi (Woodbury-Wireless). Usage of P2P applications is not restricted on any other network or Woodbury IT resource at this time. Regardless, the use of these applications has

been known to cause problems which can affect the entire University community as well as individual devices.

The University mandates that all IT resources be used in a manner consistent with the IT policy and compliant with the Higher Education Opportunity Act and all other applicable laws and regulations. The University is under no obligation to protect users from complaints or actions arising from any violation, or alleged violation, of the law, including infringement of any intellectual property right due to use of P2P, or any other type of “file-sharing” software or networks. Users should understand that the fact that material is accessible through the internet does not mean that accessing such material is authorized by third-party rights holders. In some cases, even content that is only accessible after a user pays for it may not be authorized for distribution by those who hold rights to that content.

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes infringement. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the U.S. Copyright Office website at [www.copyright.gov](http://www.copyright.gov), specifically FAQ’s at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

Accordingly, the University prohibits the use of peer-to-peer applications on its networks— including those networks where P2P file sharing is allowed—on IT resources, in general, to transmit or exchange any videos, music, software, images, or other content in

which the intellectual property is held by any party or entity other than the user, unless the user has valid, written authorization to access or distribute such content. Any use of IT resources in violation of this policy will be subject to disciplinary sanctions in keeping with the applicable provisions of the IT policy and other University statutes, rules, and policies. Nonetheless, the University allows and encourages the use of P2P applications for legitimate academic purposes when such uses do not involve any violation of applicable laws, statutes, or policies, or infringement of third-party rights.

The University will continue to implement safeguards against the illegal exchange and distribution of copyrighted materials. To that end, the University employs various deterrents such as bandwidth management technology to ensure P2P programs do not degrade network speeds or any other portion of the IT resources. Should such programs degrade the performance of IT resources, or otherwise affect them in a manner inconsistent with IT policy or other University policies, appropriate action will be taken against users responsible for such degradation or other negative impact.

The University understands that there are legitimate academic uses for P2P applications. If you believe you have an academic justification for the use of P2P in the residence halls or on public WiFi (Woodbury wireless), a request for an exception may be submitted to the IT Help Desk. Exception requests will be reviewed on a case-by-case basis with department chairs, deans and the CIO. If such an exception is granted, it is expected that the user will strictly abide by the usage of the P2P file sharing policy by not sharing material that will infringe any copyright on another’s intellectual property. As such, Woodbury University reserves the right to revoke P2P access granted by the exception process at any time if the user is suspected of sharing material that infringes any copyright or violates usage of intellectual property.

Users should be aware that peer-to-peer applications are not necessarily harmless and using them, in addition to potentially degrading the performance of IT resources, may:

\* Violate copyright, patent, trademark, or other rights.

\* May result in the disclosure of confidential information; and

\* May jeopardize the security of the IT resources.

As noted above, disproportionate bandwidth usage and the unauthorized use or distribution of copyrighted materials constitute violations of the University's IT policy. The IT department of the University will annually review its P2P policy and procedures to ensure the utmost compliance with all applicable laws and regulations. To see a list of alternatives for legal downloading, please visit <http://www.educause.edu/legalcontent>.

## Email Policy

### Overview

Email is used pervasively in almost all industry verticals and is often the primary method of communication and awareness within an organization. At the same time, misuse of email can cause legal, privacy, and security risks, thus it is important for users to understand the appropriate use of electronic communications.

### Purpose

The purpose of this email policy is to ensure the proper use of the Woodbury University email system and make users aware of what Woodbury University deems as acceptable and unacceptable use of its email system. This policy outlines the minimum requirements for use of email within the Woodbury University Network.

### Scope

This policy covers appropriate use of any email sent from a Woodbury University email address and applies to all employees, vendors, and agents operating on behalf of Woodbury University.

### Policy

1. Do not open any attachments you are unsure of, even if they come from one of the trusted email addresses or domains you have whitelisted. Save it to a temporary folder on your pc and scan it by using a built-in virus scanner such as System Center Endpoint Protection.

2. All use of email must be consistent with Woodbury University policies and procedures of ethical conduct, safety, compliance with applicable laws, and proper business practices.

3. Woodbury University email accounts should be used primarily for Woodbury University business-related purposes; personal communication is permitted on a limited basis, but non-Woodbury University-related commercial uses are prohibited.

4. All Woodbury University data contained within an email message or an attachment must be secured according to the Data Protection Standard.

5. Email should be retained only if qualifying as a Woodbury University business record. Email is a Woodbury University business record if there exists a legitimate and ongoing business reason to preserve the information contained in the email.

6. Email that is identified as a Woodbury University business record shall be retained according to the Woodbury University Record Retention Schedule. Each department has their own retention guidelines. Please check with your own department to see if a Record Retention Schedule exists.

7. The Woodbury University email system shall not be used for the creation or distribution of any disruptive or offensive messages, including offensive comments about race, gender, appearance, disabilities, age, sexual orientation, pornography, religious beliefs or practices, political beliefs, or national origin. Employees who receive any emails with this content from any Woodbury University employee should report the matter to their supervisor immediately.

8. Students who choose to have their emails auto-forwarded to private (unofficial) email addresses do so at their own risk. The University is not responsible for any difficulties that may occur in the transmission of emails.

9. Using a reasonable amount of Woodbury University resources for personal emails is acceptable, but non-work-related emails shall be saved in a separate folder from work-related emails. Sending chain letters or joke emails from a Woodbury University email account is prohibited.

10. Woodbury University employees shall have no expectation of privacy in anything they store, send, or receive on the University's email system.
11. Woodbury University may monitor messages without prior notice. Woodbury University is not obliged to monitor email messages.

## Email Policy Compliance

### Compliance Measurement

The IT team will verify compliance to this policy through various methods, including but not limited to, periodic walk-throughs, video monitoring, business tool reports, internal and external audits, and feedback regarding IT policy.

### Exceptions

Any exception to the policy must be approved by the IT team in advance.

### Non-Compliance

Employees found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

## Hardware/Software Support Policy

The use of technology at the University continues to grow at a rapid pace. A variety of hardware and software is used by diverse groups of people to achieve a variety of goals. Members of the Information Technology department are charged with supporting those endeavors to the best of their abilities. Such support requires that a consistent set of hardware and software be used and, when this is not possible, that the members of the community consult with the IT team before purchasing unsupported products. This allows both Information Technology and the faculty member, staff member, or student to come to agreement on the level of support that is desired and that can be expected.

### Hardware/Software Policy Statement

Hardware and software items purchased through the IT department that have been approved by an appropriate Information Technology (IT) staff member, will normally be installed and supported by IT. IT will strive to provide some degree of support and training

for hardware or software not purchased through IT or not approved by IT, to the extent such support does not extend beyond reasonable expenditures of time and resources. Such support may be limited by a lack of expertise, difficulty or inability to connect the equipment to the campus network, inability to obtain replacement parts, inability to obtain warranty service, or other causes reasonably beyond the control of IT staff. Should IT be unable, for any of the above reasons, to reasonably supply service, the responsibility for securing installation, support, and maintenance will remain with the department acquiring or owning the equipment or software.

### Hardware/Software Procedure

IT personnel will recommend standards for technology purchases, including computer hardware, software, and media equipment. These standards are developed through consultations with members of the community and consider such issues as initial cost, recurring costs, viability in the Woodbury networked environment, manufacturers' warranties, and the ability of IT to offer support for the purchased technology. During such consultation, IT may advise the buyer that support for the equipment or software may be limited. The University contracts with pre-qualified vendors for favorable prices on technology that meets or exceeds the standards recommended by IT. University purchases of computer hardware and software should be made through IT while other technology items (such as media or telecommunications equipment) should be purchased in consultation with appropriate IT staff. Items not available from vendors under contract with the University may be purchased from other vendors and buyers should consult with IT staff about such proposed purchases. All equipment or software purchased from vendors not under contract with the University and without prior consultation of IT staff may receive limited support. IT may elect to discontinue support for hardware due to difficulty in obtaining parts or to excessive cost to obtain parts or repairs.

### Information Technology Internet Use Policy

Social networking (e.g., maintaining an account or presence on sites such as Facebook, Twitter, etc.) and the posting of web-logs or "blogs" are increasingly popular forms of internet usage. The University recognizes social networking and blogging as important means of self-expression and relationship networking and notes the educational and professional benefits of both.

Nonetheless, users of social networking and blogs should be aware of certain issues. Most social networking pages and blogs can be viewed, or even added to, by any user or third party with access to the internet. Accordingly, the University cautions all users against posting content that could divulge the users' private details or expose users to embarrassment or ridicule. The University has no control over such potential disclosures by users and, therefore, the University is not responsible for any dissemination of private information.

The University reminds users that, regardless of any efforts to the contrary, users may be identified as members of the University community and therefore associated by third parties with the University. Accordingly, users should remember that they are representatives of the University and should therefore comport themselves in accordance with the principles and standards of the University.

Moreover, every user should bear in mind that a potential employer, colleague, or other important business relation may review users' posted content anywhere on the internet that is publicly accessible. As such, users should not falsely state or exaggerate qualifications, accomplishments, affiliations, or other characteristics of either themselves or the University.

Users should refrain from posting to social networks, blogs, or any other internet site, any content that may infringe on intellectual or other property rights of any other user or third party. The University disclaims any liability to users for posting or submission of content on the internet through use of IT resources, regardless of any type of action brought against users.

Lastly, the University notes that it does not control the various third-party websites and other internet destinations that user's access. Accordingly, the University expressly disclaims any liability to users resulting from any damage to any computing resources owned or otherwise controlled by users including, but not limited to, hardware, software, or any peripherals.

## Computer Lab Printing & Copying Policy

### Why must we pay for printing and copying services on campus?

Individual students from different majors have different printing and copying requirements or may have their own off-campus printing/copying capabilities. It would not be fair to charge students one flat rate. Instead, we charge on a pay-as-you-go basis.

Every student is assigned an Equitrac Account, which is used for printing and copying on campus. Prices are listed on the attached schedule of charges. Standard white copy paper will be provided. You may use your own non-standard or colored paper, but no discounts will be provided. To prevent printer jams, inkjet glossy, transparency film, material transfer, and card stock over 28lb are not allowed on laser printers.

**What happens if I have funds left on my Equitrac Account and decide not to return to Woodbury University? NO REFUNDS ARE GIVEN. MANAGE YOUR ACCOUNT SO LITTLE OR NOTHING IS LEFT ON IT.**

### What do I need to do before using the printers or copiers on campus?

1. Create a PIN for your Equitrac Account (if you don't have one already).
  - a. On a web browser, go to <https://print.woodbury.edu> and login with your Self-Service credentials. This URL is only accessible on the campus network.
  - b. After logging in, click the *User Dashboard* link.
  - c. Click on *Manage PINs*.
  - d. Create a PIN number that is between six to twenty digits. Please do not enter alphabetical characters, and do not use PIN numbers that are easy for others to guess.
  - e. Click the *Change PIN* button.

### 2. Fund your Equitrac Account.

You can fund your Equitrac account electronically with Paypal, a debit/credit card, or with a cash deposit. Funds can be used for printing and copying on campus.

#### Method 1: Cash Deposits.

- a. Go to a cash deposit station on campus. Stations are located at the Architecture, Miller, and the Design Center Computer Labs.

- b. Enter your PIN number on the keypad.
- c. Insert a \$1, \$5, \$10 or \$20 bill facing up. There are no refunds or change provided, so make sure you want to feed the bill before you do so.
- d. Press *D* on the keypad to end your transaction.
- e. Wait a few seconds for the transaction to process, then press *C* on the keypad to get a receipt. In case of issues with your deposit, you will need to provide a copy of your receipt.

#### Method 2 (Debit Card / Credit Card / Paypal)

- a. Go to <https://print.woodbury.edu> and login with your Self-Service credentials. This URL is only accessible on the campus network.
- b. After logging in, click on the *Deposit* button.
- c. Select *PayPal* as your deposit method. Even if you do not have a Paypal account, this option is used for debit and credit card transactions.
- d. Specify how much you want to deposit in the *Amount* box.
- e. Carefully review the PayPal Acceptable Use Policy. If you agree with that policy, then select the checkbox "*I have read and accepted: Paypal Acceptable Use Policy,*" then click the *PayPal Checkout* button.
- f. If you do not have a PayPal account, click the *Checkout as Guest* button. If you have a PayPal account, you have the option to login with your PayPal account.
- g. Verify your payment details and complete the transaction.
- h. After you've completed the transaction, check your Equitrac account to be sure the deposit is reflected in your account.

#### How to Make Copies or Prints

You can use the copiers at the library, the first floor of Cabrini Hall, the 2nd floor of Design Center, or at room MH202. To use the copier, use the touchscreen to login with your Self-Service credentials. Wait until the copier features appear on the display, then make your copies. When you are done, press the Access button, then log-out so that no one else can make copies with your account.

You can print in the library, or in any computer lab or classroom that has a printer. To print, log into a lab computer, open your document, then print in the normal manner. Double-check your printing preferences, paper size, and color mode to ensure that you are charged correctly. Afterwards, the cost of the print will be displayed in a *Print Cost Preview* window. You may either *Accept* or *Delete* the print. If the cost of the print exceeds the funds available in your Equitrac account, then your print or copy job will be canceled automatically. When you are done, sign-out of the computer so that no one else can print with your account.

#### How to check your account balance.

You can check your balance by entering your PIN number into any deposit station on campus. You can also check your balance by visiting <https://print.woodbury.edu> from within the campus network.

#### If you suspect someone is using your PIN or printing with your credentials.

Change your password and PIN immediately, then notify the Information Technology department so they can investigate appropriate measures. The IT department can be reached via email at [helpdesk@woodbury.edu](mailto:helpdesk@woodbury.edu), or by phone at (818) 767-0888 x5295.

#### If the printer or copier produces an unsatisfactory document.

1. Immediately report the incident to computer lab staff. If you are unable to locate either, please call (818) 252-5295 or email [helpdesk@woodbury.edu](mailto:helpdesk@woodbury.edu).
2. Use a different printer or copier until the problem is resolved. Instead of charging a higher cost per document and giving refunds, the cost per document is charged at lower rates. No monetary refunds are given.

3. If a document fails to copy or print, and the failure was caused by a mechanical problem, you may request reimbursement credit by reporting the issue to computer lab staff. If your request for reimbursement credit is approved, your Equitrac account will be credited for the cost of the document.
4. When reporting an unsatisfactory document, please do the following:
  - a. Bring the document to a computer lab staff member, or to a lab supervisor at Miller Hall 202 during normal business hours. Prints which had been used in class, marked-on, cropped, or physically altered are considered used, and will not be accepted.
  - b. You must bring photo identification to prove your identity.
  - c. Please have the date and time of the failure, as well as information on which machine caused the failure. Computer lab staff will need that information to verify your claim.
  - d. If the claim is approved, then the cost of the document will be credited to your Equitrac account.
  - e. Incidents must be reported within seven days for reimbursement credit to be issued. The longer that an incident isn't reported, the more difficult it will be to verify your claim.
5. Due to privacy policies, computer lab staff can only discuss account details with the owner of an Equitrac account. Computer lab staff cannot provide information about an account to individuals who are not named on the account.

**How to request technical support or to get problems resolved.**

First, contact the staff who supports the equipment (i.e. computer lab staff or a staff member at the library). If they cannot resolve the problem themselves, they will refer you to someone who can. If their office is closed, you can contact us through one of the following methods:

- Phone: (818) 252-5295

- Email: [helpdesk@woodbury.edu](mailto:helpdesk@woodbury.edu)

- Web: <https://helpdesk.woodbury.edu>

**Anti-Abuse Policy**

Use of the university's printers or copiers is subject to monitoring and auditing. If printer or copier access is abused through fraud, cost-circumvention measures, or unauthorized behavior, then the university reserves the right to take measures to remedy the abuse.

**Printing and Copying Prices**

Prices are posted on the printers and copiers in the computer labs. The latest printing and copying prices and policy can be viewed on the IT Department's Sharepoint site

## Demonstrations

Woodbury University supports the right of individual students, faculty and staff members, and student organizations to demonstrate and leaflet, provided such activities do not disrupt normal campus activities or scheduled events nor infringe upon the rights of others. The University will not condone behavior that infringes upon the freedoms of speech, choice, assembly, or movement of other individuals or organizations. Responsible dissent carries with it sensitivity for the civil rights of others. The University maintains the right to define the time, place, and manner in which activities occur on campus. The safety and well-being of members of the campus community must be protected at all times. Only registered University organizations, current students, and full/part time faculty and staff members may request use of space through the FREA process. The FREA form is available online at <https://www.aaiscloud.com/WoodburyU/default.aspx>. Organizations and individual students involved in demonstrations must comply with the Student Code of Conduct. Failure to abide by the Code may result in conduct charges and/or appropriate sanctions. Please refer to the Conduct Process section of this handbook for further details.

## Events With Alcohol

While Woodbury University's alcohol policy reflects current interpretations of federal, state, and local laws governing the possession, distribution, and use of alcohol, it also expresses the University's commitment to responsible drinking and behavior.

For the purposes of this policy, an "event with alcohol" is defined as an official gathering—either on or off campus—sponsored by Woodbury University or any of its constituent groups, at which alcohol is served. Timing and location of all events where alcohol is present must be sensitive to the academic mission and needs of the University community. The presence of alcohol at these events creates a need to manage activities with greater care and more attention to the conduct of those present. Those who choose to attend events where alcoholic beverages will be served and consumed must assume responsibility for the consequences of their actions.

1. Alcoholic beverages may not be served at official Woodbury University events without proper registration. All events with alcohol must be registered via the Facility Reservation and Event Authorization (FREA) process at least two weeks prior to the event date. A completed Host Responsibility Form for Events with Alcohol\* (for events sponsored by faculty or staff members) or Petition for Student Organization Event with Alcohol\* (for student organizations) must be completed by the event host and attached to the FREA form. Some club events, parties, and certain other events involving students may require one host per 100 guests expected to attend. The Dean of Students must approve all student organization events with alcohol.
2. Consumption of alcoholic beverages must be limited to the location(s) pre-approved for the event via the FREA process. Additionally, access to the event must be controlled.
3. Alcoholic beverages may only be served by vendors contracted through Woodbury's food service provider or, for off-campus events, by staff from a venue in possession of a valid Alcoholic Beverage Control License as well as liability insurance coverage.
4. Service of alcoholic beverages shall be limited to those aged 21 years and older, while access to alcoholic beverage service areas by those under 21 shall be monitored. There must be a system in place to ensure that no one under 21 years of age is served any alcoholic beverages. Such systems may include, but are not limited to:
  - checking of government-issued picture identification at entrances (acceptable identification includes a valid driver's license with photo, a government-issued photo ID card, or a passport); University identification cards are not sufficient proof of age;
  - use of a wristband or ink stamp to mark the hands of all persons determined to be of legal drinking age; and/or
  - color-coded place cards for sit-down meals.



For events on University property, Woodbury student identification should always be checked against a list of birthdays obtained from the Office of Student Development.

The system that will be used for events hosted by faculty or staff members must be described on the Host Responsibility Form for Events with Alcohol. The system that must be used for events hosted by student organizations is described in the Guidelines for Student Organization Events with Alcohol.

5. At a minimum, servers and hosts should ensure that alcohol use at the event is responsible and safe by observing the following guidelines:

- Guests may not be served more than one alcoholic beverage per hour, not to exceed four alcoholic beverages total. An alcoholic beverage is defined as 5 ounces of wine, 12 ounces of beer, or 1.5 ounces of hard alcohol. Only non-alcoholic beverages may be served during the last hour of events lasting four hours or longer. Obviously, intoxicated persons are not to be served alcoholic beverages.
- Event hosts and sponsoring departments/ organizations are required to provide, in sufficient quantity throughout the event, food and one or more nonalcoholic beverage choices (e.g., soda, water, juice, or coffee). If alcohol is being provided at no cost, food and non-alcoholic beverages must also be provided at no cost. If alcohol is available for purchase, food and non-alcoholic beverages also must be available for purchase or provided at no cost.
- Drinking games, or any activities that encourage or contribute to alcohol overindulgence or abuse, are prohibited.
- Service of alcohol from a large, open, common source container (such as a punch bowl) is prohibited.

6. Woodbury University security may be required for events with alcohol, depending upon the nature of the event and expected attendance using the following rubric as a guideline:

**SECURITY MAY BE REQUIRED AT EVENTS IF...**

**Event access must be controlled**

**Reasoning:** Guests must stay within a certain areas OR Fire exits must be kept clear OR Alcohol must be kept inside event venue

**Examples:** Concert; Outdoor event with alcohol

**There are expensive items or equipment present**

**Reasoning:** To ensure security of items or equipment

**Examples:** Art exhibit

**The event is at night**

**Reasoning:** There are few staff onsite to assist in the event of an emergency

**Examples:** Dance

**The event is potentially controversial**

**Reasoning:** There is increased potential for an incident or emergency

**Examples:** Political speaker; Rally

**There may be 1,000 or more attendees**

**Reasoning:** To assist with crowd control AND There is increased potential for an incident or emergency

**Examples:** Festival; Commencement

**There may be 200 or more students with few faculty/staff**

**Reasoning:** To assist with crowd control AND There is increased potential for an incident or emergency and few faculty/staff to assist

**Examples:** Student organization party

**There will be an open bar AND individuals under 21 may be present**

**Reasoning:** To assist with upholding alcohol policies

**Examples:** Networking event

**There will be an open bar AND more than 150 attendees**

**Reasoning:** To assist with upholding alcohol policies AND To assist with crowd control AND There is increased potential for an incident or emergency

**Examples:** Cocktail reception

**Alcohol will be served AND there will be 75 or more students with few faculty/staff**

**Reasoning:** To assist with crowd control AND There is increased potential for an incident or emergency and few faculty/staff to assist

**Examples:** Student organization club event

The above rubric will also be used to determine if a security supervisor is required. Sponsoring departments/organizations are responsible for the cost of event security.

7. Event hosts and sponsoring departments/ organizations must ensure that all event promotion is appropriate. Event advertising (e.g., flyers, banners, invitations, T-shirts, signs, etc.) must not overtly or covertly focus on alcohol consumption as the primary purpose of the event.

Student organizations should additionally reference the Guidelines for Student Organization Events with Alcohol.

The conditions above do not apply to events which are considered private. Private events are defined as the following:

- Events hosted by faculty or staff members where attendance is determined by personal invitation to a limited number of individuals.
- On-campus events hosted by student organizations where attendance is determined by personal invitation to a limited number of individuals and the organization's advisors are present for the entire event; or
- Student organization meals held at a venue in possession of a valid liquor license (to be confirmed at <http://www.abc.ca.gov/datport/LQSMenu.html>) where attendance is limited to the organization's active members.

Private events will adhere to Woodbury University's Alcohol Policy, which prohibits the possession or consumption of alcohol by any individual under the age of 21, as well as to California State Law, which prohibits furnishing alcohol to persons under the age of 21. Additionally, alcohol may not be consumed in campus parking lots or at the ASWU Pool House unless prior approval has been issued by Student Affairs.

## Off-Campus Travel Instructions For Trip Coordinators

1. The guidelines below and applicable forms should be distributed to students prior to the date of departure to provide ample time for documents to be reviewed and completed.
2. Not all travel forms are required for every type of off-campus travel.
  - a. Travel Authorization for Student Trips – Always required. To be completed by the appropriate Trip Coordinator (Woodbury Employee) who will obtain necessary approvals.
  - b. Guidelines for Student Travel – Always required. Each student is to sign this form.
  - c. Liability Release & Indemnification and Student Medical Information and Release Form – Each student is required to complete this form for off-campus travel that is overnight and/or involves risk.
  - d. Driver Safety Regulations and Agreement – Only required when a student drives student to and/or from a Woodbury University off-campus activity. Each driver must complete this form and attach a copy of their valid driver's license. This form must be completed regardless of ownership of the vehicle driven.
3. The Trip Coordinator should retain copies of forms while traveling and submit originals to Student Affairs 30 days prior to the date of departure.

### Attendance

Students participating in any off-campus activities are expected to attend all scheduled events. Students who fail to attend events are required to reimburse the University for fees and/or expenses incurred because of non-attendance.

### Lodging

If activities outside of class require an overnight stay, students are expected to reside in living accommodations arranged prior to the event.

Students may share a room only with members of the same gender. A student is responsible for any damages or any expenses (phone calls, room service, etc.) incurred beyond the cost of lodging.

## Transportation

When taking students on trips, it is the University's recommendation that transportation be arranged so that all students are in one place and driven by a trusted driver. Students driving other students in prearranged carpools must sign and abide by the Student Driver Safety Regulations and Agreement Form. A copy of the student's driver's license must be attached to the form. Only Woodbury University staff or faculty members are permitted to drive vehicles rented by the University.

## Health Insurance

Woodbury University requires that all students have medical insurance. Students may not take part in an off-campus activity if they have not purchased or filed proof of personal medical insurance coverage. Please contact the Health Services Office if you have questions about coverage.

## Alcohol and Controlled Substances

Students are expected to obey local, state, and federal laws regarding the use of alcohol and controlled substances. Additionally, students are expected to conform to policies of the University as well as to those specific to the event itself.

## Business Office

Students with outstanding balances on their student accounts or who have been involved in disciplinary actions are not permitted to attend off-campus events involving overnight travel.

## Conduct

Students are expected to conduct themselves in a manner consistent with the policies of the University, as published in the Code of Student Conduct. Students who exhibit inappropriate behavior may be required to return to the University prematurely at their own expense. In addition, inappropriate behavior will be addressed through the University's conduct process.

## Students with Disabilities

Woodbury University is strongly committed to accommodating students with disabilities. Any student who anticipates needing accommodation while traveling should provide appropriate documentation to the Associate Dean for Academic and Student Support in Student Affairs (see Policy and Procedures for Accommodating Students with Special Needs in the Student Handbook) as early as possible, as accommodations may take time to arrange. The University is unable to make accommodations that are unduly burdensome or that fundamentally alter the nature of the program.

## Liability Release & Indemnification And Student Medical Information And Release Form

Students must fill out a Liability Release & Indemnification and Student Medical Information and Release Form prior to the off-campus travel and/or activity. Any student who has a potential medical issue should inform the responsible Woodbury employee. It is the student's responsibility to ensure that any necessary medications are available to him/her when needed. Woodbury University requires students to sign the Liability Release & Indemnification and Student Medical Information and Release Form for any activity that involves risk (e.g. skiing, construction, white water rafting, backpacking, etc.) and/or overnight trips.

## Religious Life Policy

Woodbury University is a non-secular school. Individuals within the University community may form religiously oriented clubs in accordance with campus regulations regarding student organizations. No proselytizing is allowed on the part of any religious group or individual on University property. Material of religious nature may be posted according to the University's Policy on Publicity Materials.

# No Smoking Policy

Woodbury University recognizes that using tobacco products is harmful to the health of tobacco users and that exposure to secondhand smoke poses a health risk to non-smokers. Combined with the current COVID-19 Pandemic, the University has implemented a no-smoking policy to address these health concerns and to provide a smoke-free study and workplace for all members of the campus community.

All smoking by faculty, staff, students, and visitors is not allowed anywhere on campus. This policy also includes the use of electronic smoking devices, vapes, and Juuls.”

## Solicitation Guidelines

1. Any persons or organizations wishing to conduct solicitation on the Woodbury campus must request permission by using the Solicitation Request Application available from Student Affairs.
2. A location will be assigned pending approval.
3. Confirmations of approval for solicitation will be granted by Student Affairs within four working days.
4. A fee of \$100.00 per day with a two-day maximum per semester must be paid in advance to Business Office and may be adjusted at the discretion of Student Affairs.
5. Solicitation Sponsorship: when student organizations sponsor individuals or for-profit companies, it is suggested that ten percent of gross sales be paid to the student organization. Student organizations, faculty, and staff members are cautioned against agreeing to any solicitation sponsorship without adequate research into the background and business track records of any companies or individuals seeking such sponsorship. Refer to event approval procedures for additional information.
6. Policy: All materials must be approved by Student Affairs before posting.

## Limitations

1. No person or organization given approval to solicit on Woodbury University’s Campus may:
  - a. interrupts the day-to-day academic and operational functions of the University or commit intentional acts that obstruct, disrupt, or physically interfere with the use of University premises, buildings, or passages.
  - b. engages in actions which intimidate, harass, threaten, or coerce any student, staff or faculty member, vendor, or guest of the University.
  - c. solicits in residence halls.
  - d. post materials on vehicles parked on campus.
2. Incentives, giveaways, etc. may not be given in exchange for any type of work
3. Approval will be given for activities do not violate or conflict with the University’s mission statement or University policies, guidelines, or other applicable laws; do not result in a breach of University contracts or compete with University or University-contracted operations; do not jeopardize public or individual safety; and are covered by insurance as deemed necessary by the University.
4. Student Affairs may deny approval for solicitation on any University facilities or grounds.
5. The University reserves the right to restrict access or immediately order the removal of any person(s) or vendor(s), sponsoring organization(s), etc. believed to have behaved in a manner not acceptable to the University community or attempting to conduct business without prior approval.
6. Student Affairs may establish additional guidelines as needed for the facilitation of vendors’ activities.

# Traffic and Parking Policies

## General Provisions

For the safety and convenience of all members of the Woodbury University community, University parking regulations are in effect and enforced 24 hours a day, 365 days a year. All motor vehicles operated by students must be registered with the Security Office and must display a current, valid parking permit regardless of the student's place of residence or academic program. Motorcycle operators and drivers with handicap placards/license plates must register their vehicles, display a current parking permit, and park in the designated parking spaces on campus. Failure to register a vehicle and purchase a parking permit will result in denied entry to parking areas or possible citation and fine. Woodbury University has approximately one parking space for every three registered vehicles. Accordingly, possession of a parking permit does not guarantee space availability. All vehicles driven or parked on campus must carry liability and property damage insurance in accordance with the California Vehicle Code. The registered operator of a motor vehicle is responsible for its operation on campus at all times. The University assumes no responsibility for the care or protection of any vehicle or its contents at any time, including when parked in designated University parking areas.

The San Diego campus is an urban campus located just south of downtown San Diego. It is accessible by public transportation and students are encouraged to use the San Diego Metropolitan Transit System's trolleys and buses. Parking spaces for student use at the San Diego campus are very limited. Students may load and unload materials curbside at the building's main entrance.

## Motor Vehicles Registration

Purchase a parking permit online by completing the registration form at <https://www.permitsales.net/WoodburyU>. Temporary parking passes are printable via the website to park on campus until permanent permits are mailed. Vehicles must be registered by the add/drop date of each semester (two week grace period at the start of the fall and spring semesters). The cost for fall 2021 is zero. The cost for spring 2022 parking permits is subject to change. If there

is to be an increase this will be communicated to all concerned. Spring Semester permits are valid through the following summer session. Students who operate more than one vehicle must purchase separate parking permits for each vehicle. Parking permits must be displayed so that the entire permit is visible. Failure to fully display the permit will result in citation and fine. Lost parking passes and passes for newly purchased vehicles may be issued at prorated fees. There are seven parking lots at the Burbank campus with 815+ unrestricted parking spaces for students.

When registering your vehicle, you must provide the license plate. If the vehicle is new or plates have not been issued, you must provide the vehicle's VIN #. The vehicle's VIN # must then be visible from the outside of the vehicle while on campus.

## Driver Responsibilities

Drivers are responsible for the driving and parking of their vehicles on campus. Drivers shall adhere to all Campus Parking regulations and fully cooperate with University Security Officers in any investigations involving a motor vehicle. This includes producing University Identification, a valid driver's license, and/or proof of insurance to any University Security Officer. Failure to cooperate with Security Officers will make your vehicle subject to tow and result in referral for Judicial Conduct. For safety reasons, loitering in all University parking lots is not permitted.

## License Plates

State-issued license plates shall always be affixed to all vehicles on campus. University Security Officers may inquire about the status of unobservable plates and students will be required to produce DMV registration upon request.

## Proper Display of Permits

Student permits must be affixed to the driver's-side lower corner inside the windshield with the permit number fully visible. Staff/Faculty permits must hang from the rear-view mirror OR be displayed on the driver's side dash with the permit number fully visible.

## Designated Parking Spaces

Parking violations, fines, and/or loss of parking privileges are strictly enforced. Full parking enforcement goes into effect on the Add/Drop date.

## Vehicle Operation

The speed limit on campus is 10 miles per hour. Vehicle use is limited to driveways and parking lots. Driving on lawns, sidewalks, or walkways is prohibited and will result in citation and fine. Unsafe operation of vehicles, including reckless driving, driving the wrong way on one-way driveways, and failure to stop at stop signs is prohibited and will result in citation and fine.

## Vehicle Parking

There are 6 lots for general parking on campus. The Whitten/Issacs Lot is the only lot designated "Faculty Only." Parking in posted/reserved spaces without authorization will result in vehicle citation and/or tow. Reserved parking is enforced 24 hours a day, every day. Spaces marked with signs are designated for specific courses or personnel. Vehicles must be parked in spaces with curbs or white stall lines on either side. Red zones are for emergency vehicles only (no student or faculty/staff parking). Blue zones are for vehicles with properly displayed state-issued red or blue disability placards.

## Removal of Vehicles

In accordance with California State Law, the following vehicles may be towed away at the owner's expense: abandoned, inoperative, or unregistered\* vehicles; vehicles parked in fire lanes, red zones, disabled spaces, or blue zones; vehicles blocking gates or driveways; or vehicles parked in temporary posted "No Parking" zones.

\*Unregistered vehicles are vehicles not registered with Woodbury and/or vehicles with expired license plates or state registration tags.

## Immobilization of Vehicles

Any vehicle with 3 or more citations in a semester is subject to immobilization via Vehicle Boot. Vehicle owners must show valid registration and government-issued identification prior to release of the boot. Incident reports will be forwarded to the Office of Student Affairs.

## Towing of Vehicles

Vehicles illegally parked in fire lanes, handicap spaces without proper permit, or VIP Reserved spaces next to Hensel Hall are subject to immediate tow. All vehicle tows are at owner's expense.

## Motorcycles

All motorcycles must be registered and parked in assigned spaces on campus. Register motorcycles at the Security Office in Whitten Hall to receive parking decals. The cost of a motorcycle permit is \$35. The University reserves the right to remove motorcycles that are not registered and/or determined to be abandoned.

## Bicycles

The University reserves the right to remove bicycles that are determined to be abandoned. There are 10 bicycle racks to park your bicycle on campus. Please use them.

### Keeping your bicycle safe

- Secure all bicycles, even in protected areas like residence halls, rooms, and backyards.
- Use a U-shaped security lock to secure your bike; other locking devices may be easy to break or cut.
- Do not lock your bike to objects that can be moved. Lock your bicycle to a stationary object.
- Do not lock your bike by only the front or back wheel, since they can be removed.
- Ride safe.
- Keep to the right side of the roadway and ride in single file. Pass other cyclists with caution.
- Obey all traffic laws.
- Use hand signals.
- Ride cautiously through parking areas, driveways, and congested intersections.
- For night riding, equip your bike with front and rear lights, use reflectors, and wear light-colored clothing.

- Give pedestrians and motor vehicles the right of way and use a warning device.
- Use caution when passing parked cars because doors can open without warning.
- Watch out for potholes, rocks, broken glass, and other road hazards.
- Remember to wear a safety helmet when riding your bike.

## Parking Citations and Fines

Vehicle operators will be cited and fined for any of the following violations:

WUVC 100--\$40 Permit or permit numbers not visible

WUVC 101--\$40 Permit improperly displayed

WUVC 102--\$40 Permit expired

WUVC 103--\$40 Parking in posted No Parking zone

WUVC 105--\$40 Parking in reserved space

WUVC 107--\$40 Parking in an area not designated for parking

WUVC 108--\$40 Not parked within stall lines / double parked

WUVC 110--\$60 Blocking other vehicles, gates, driveways, walkways

WUVC 111--\$60 Exceeding posted time in a loading/unloading zone

WUVC 200--\$100 Driving the wrong way on a one-way driveway

WUVC 201--\$100 Driving on lawns, sidewalks, or walkways

WUVC 202--\$100 Reckless driving / Failure to stop at stop sign

WUVC 203--\$100 Exceeding speed limit

WUVC 204--\$100 Removing barricades / cones from reserved spaces

WUVC 300--\$125 Parking in disabled space / blue zone without placard

WUVC 301--\$125 parking in fire lane / red zone

WUVC 302--\$150 Forged Permit

WUVC 303--\$150 Permit/Plate do not match in the system

WUVC 999--\$125 Vehicle tow / Vehicle boot / Immobilization

Parking permits or state issued disabled placards not properly displayed or readily visible will be regarded as having no parking permit or disabled placard. Drivers with disabled placards that are not properly displayed will be subject to be cited and fined if parked in disabled zones. Fines incurred by students are automatically charged to the student's account. Students may pay assessments by mailing checks to the Business Office or when statement is received from the Business Office. Unpaid fines assume the same status as any other college debt. Students who do not pay parking tickets may be put on financial hold, blocked from registering for subsequent terms, and denied transcript requests. Incident Reports may be filed on students who receive three or more parking citations within a semester; such students will be subject to conduct sanctions.

## Methods of Appeal

Parking violations may be contested online at <https://www.permitsales.net/WoodburyU/violations>. Appeals must be received online within 7 calendar days of the citation being issued. Appeals will be adjudicated by the Security Coordinator. The Security Coordinator's office is located at the Central Services building next to the Mail Room and can be contacted at 818-252-5250.

### Grounds for Appeal:

- Parking lot signage/markings unclear.
- Parking regulations unclear.
- Emergency situation necessitated violation.

Adjudicated citations must be appealed within 7 days of the original appeal and can be based only on:

- New information not presented in the initial appeal, again based on the above circumstances

The Security Coordinator has the final decision on all appeals.

Permits are valid ONLY if issued by RYDIN or the Security Office. A permit given to you by your friend is a no go.

## Conduct Charges

Conduct charges will be assessed to students who:

- Duplicate or reproduce valid parking permits.
- Create or generate illegal parking permits.
- Use or distribute any illegally obtained or illegally created parking permits.
- Receive three or more parking violations in one semester.
- Commit moving violations on campus.



# Student Involvement

Educational experiences at Woodbury extend beyond the classroom. Student organizations create opportunities to develop leadership skills, meet new people, have fun, and engage in professional development and networking. Student interest drives the development of each organization—find one that matches your interests, or you are welcome to start a new one!

## Student Organizations

All student organizations using the Woodbury University name in any capacity are required to be registered with Student Affairs.

### PRIVILEGES OF REGISTERED STUDENT ORGANIZATIONS

1. Present ideas, information, and suggestions on topics of concern to the University faculty, students, administration, and Board of Trustees.
2. Request funding for Associated Students of Woodbury University (ASWU) events in accordance with Organization Allocations Committee (OAC) guidelines.
3. Pursue activities and directions of interest to members, if they are legal, ethical, and not in violation of any University policies or procedures.
4. Advertise and promote the group and its activities on campus and in campus publications with approval from Student Affairs.
5. Limited use of campus copying and duplicating services with approval of Student Affairs for materials related to student organization business.
6. Use of campus mailbox.
7. Hold fundraisers for the organization or charitable causes. All fundraising must be approved by Student Affairs.
8. Create and link student organization website to the Woodbury University website according to University procedures (see Student Affairs).

### RESPONSIBILITIES OF REGISTERED STUDENT ORGANIZATIONS

1. Adhere to all federal, state, and local laws.
2. Read, understand, and adhere to all University policies and procedures.
3. Understand and follow all University procedures for the use of campus services such as printing, mailing, posting, facility reservations, financial services, etc. To be a recognized student organization at Woodbury University, the organization must attend all ASWU meetings and adhere to ASWU policies and procedures.
4. Maintain an account in the Business Office through which funds may be deposited and withdrawn according to University procedures. Student Affairs may revoke privileges of any organizations in debt.
5. Promote and foster the educational and developmental mission of the University and Student Affairs.
6. Respect the rights and privacy of other groups and individuals in pursuit of their plans, goals, and activities.
7. In all organization activities, be mindful of the interests and needs of the total membership of the organization as well as the entire University community.
8. Have a minimum of four active officers (a President, Treasurer, and two other officers of the organization's choosing) in addition to a membership body. This is to ensure the organization's longevity, reduce officer burnout, and increase involvement and buy-in from the student body.
9. No student may hold an executive board office in a student organization while on student conduct or academic probation or having been on academic warning for two or more consecutive semesters.
10. Register regular meetings for membership through the Facility Reservation and Event Authorization (FREA) process.
11. Participate in official campus-wide events including, but not limited to, Welcome Week and Woodstock.
12. Be responsible for themselves and their guests at all group functions and at University events in which the group participates.

13. Have a full-time (includes participating adjuncts) faculty/staff advisor. Organizations must consult regularly with their advisor(s) and keep them informed of all relevant plans and activities. The advisor's signature is required on all requests for ASWU funding, financial transactions, and Facility Reservation and Event Authorizations.
14. Pay all financial obligations in a timely manner from the organization's available funds.
15. Have representation at Student Organization Orientations, organized through Student Affairs.
16. Have representation at all ASWU meetings (i.e. Organization Allocation Committee Training).
17. Have organization representation at meetings and trainings deemed mandatory by Student Affairs.
18. Check and use appropriately the organization's official Woodbury student organization email account on a regular basis to ensure efficient and accurate communication.

#### **VIOLATIONS BY REGISTERED STUDENT ORGANIZATIONS**

1. In the event of an alleged violation, the Designee for Student Affairs will contact the organization's president and advisor(s).
2. A governing student council (such as Greek Life Association or ASWU) may hold its own concurrent hearing separate from the University conduct process.
3. Individual representatives of a student organization may face charges independent of the organization.
4. Refer to the "Conduct Process" section of this handbook for further information regarding violations by Registered Student Organizations.

#### **REINSTATEMENT OF INACTIVE STUDENT ORGANIZATIONS**

Student organizations that fail to renew and re-register themselves each fall and spring semester are deemed inactive by Student Affairs and ASWU. Reinstatement allows inactive student organizations to become active again if the student organization was inactive for no more than 12 months as of the date it was last deemed active.

Whenever a student organization has been inactive for more than 12 months, the organization must submit a new, current Student Organization Registration Renewal Packet to Student Affairs. The organization will then be eligible for ASWU-OAC funding as well as access to the student organization account with the Business Office and must assume all debts and credits associated.

#### **NEW STUDENT ORGANIZATIONS**

If several students have an interest or concern not met by one of the existing student organizations, it is possible to start a new group. The first step in this process is for a student to identify several students with the same interest. The minimum number of students required to start an organization is four (4). Then the group should meet with Student Affairs to begin developing a constitution and complete the necessary registration forms. The Designee for Student Affairs will work with the students to develop a foundational constitution, mission, leadership, and purpose. Once registration has been approved, the new student organization may seek recognition through ASWU.

#### **UNRECOGNIZED STUDENT GROUPS**

Woodbury University encourages students to affiliate with registered student organizations. However, sometimes student organizations lose recognition for inactivity and/or violation of campus policies. These groups lose all University privileges afforded to student organizations and may not participate in any University functions (including Welcome Week, intramurals, Founders' Week, etc.). Sometimes these unrecognized student groups attempt to operate without University support or oversight. Individual students and recognized organizations may not affiliate with nor support unrecognized student groups in any way (including attending events, giving or loaning funds or resources, advertising events, etc.).

#### **STUDENT ORGANIZATION EVENTS**

Organizations must register all events, whether on- or off- campus, through the FREA process.

Events will be considered student organization events if one or more of the following criteria are met:

- The event is planned during an organization meeting.

- The organization's or the University's name is attached to the event.
- The event utilizes funds through any of the organization's accounts.
- The event is advertised on campus or through any campus-affiliated venues.
- 50% or more of the organization's members attend.

When in doubt, organizations should consult with the Designee of Student Affairs.

## Student Organization Fundraising

### Definition of Fundraising

Fundraising is defined as the collection of money through donations from individuals or companies, or programming for the purposes of generating charitable donations.

### Soliciting Donations for Student Organizations

1. Organizations must schedule an appointment with the Vice President of Advancement if they wish to solicit donations from off-campus entities. Woodbury University has existing sponsorships that may prevent student organizations from securing conflicting sponsors. Additionally, the University has well-established relationships with several off-campus entities (individuals, companies, trusts, etc.) that must be observed.
2. Donations may be monetary gifts or in-kind items.
3. Cash, items, or services are not considered donations if the donor receives something in return (e.g., promotion of a business, product, or service; on-campus flyer distribution; etc.). In these cases, listing business names on programs or banners as sponsors only is permitted.
4. Student organizations unique to Woodbury (not affiliated with national organizations) fall under the University's 501(c) tax ID status. National fraternities/sororities and other national academic organizations have their own tax status and should contact their headquarters to obtain tax information.
5. Woodbury does not provide advice to donors. Donors should consult their professional tax advisors.

6. Check should be made payable to Woodbury University.
7. All charitable funds raised must be deposited into student organizations' campus accounts through Advancement (see Patti Quigley), NOT through the Business Office.
8. Be careful to represent Woodbury appropriately when communicating with potential donors:
  - a. Follow guidelines for the proper use of the University seal, logo, and other visual media.
  - b. Use proper grammar.
  - c. Follow-up with written acknowledgment in a note or card.

### Scholarships

1. Student organization-sponsored scholarships open to specific groups (e.g., all students, all Animation majors) must total at least \$2500.
2. Endowed scholarships must be a minimum of \$50,000.
3. Awarding scholarships is determined and managed by the Financial Aid Office.

### Donations from Woodbury Departments

Money should not be transferred from a University department into a student organization account. Departments may support student organizations by purchasing goods or services on their behalf.

### Soliciting Donations for a Charity

1. Each charitable organization must submit a statement of support on official letterhead to Student Affairs acknowledging that the fundraising will occur on its behalf and indicating the expected date of receipt of the donation.
2. Donations may only be made to charitable organizations who provide their tax ID number and proof of 501(c)(3) status.
3. University funds, including funds from ASWU, can never be donated to charitable organizations. Only money that has been specifically raised for a charity can be donated to that specific cause.
4. Checks should be made payable to the charitable organization.

- Cash collected for a charity should be deposited through the Business Office immediately, the deposit receipt attached to a check request form so that payment may be made to the charitable organization.

### **Fundraising Events (To Raise Money for Student Organizations or Charities)**

- Fundraising activities must align with the University's educational mission and the organization's purpose.
- All fundraisers must be pre-approved through the FREA process.
- Educational information about the student/charitable organization should be made available during the event.
- Only net proceeds of a fundraising event may be donated to charitable organizations. For example, if an event costs \$500 to implement and \$1000 is raised, \$500 must be donated to the charity. All fundraiser event advertisement must indicate that net proceeds will go to charity.

### **Prohibited Methods of Fundraising**

- Fundraising events where people or their services are auctioned/sold.
- Bake sales utilizing foods prepared at home.
- Solicitation by credit card companies.
- Door-to-door fundraising in residence halls or campus offices.
- Email blasts to any portion of the campus community.
- Fundraising for any candidate for political office or any political party.
- Contests based on chance (e.g., 50/50 raffles, raffles not conforming to the description below) because they are considered lotteries and under California law only the California State Lottery may operate a lottery. Contests based on skill (e.g., Business Plan Competition, basketball tournaments, logo design competitions) are permitted.

### **Raffles**

- 50/50 raffles, in which a monetary donations grant entry into raffles for half of the total raised profits, are prohibited.
- Items donated for raffle may be considered in-kind gifts.
- Raffles are permitted under certain conditions:
  - The raffle must be used to fund charitable work.
  - At least 90% of the raffle proceeds must be used to support California-based charities.
  - Each ticket must have a detachable coupon or stub marked with a matching identifier.
  - Winners of prizes must be determined by draw among the tickets.
  - The drawing must be conducted in California and performed/supervised by an adult.
  - Law forbids the use of gaming devices or the sale of raffle tickets at a racetrack, gambling establishment, satellite-wagering facility, or on the internet.

### **GUIDELINES FOR STUDENT ORGANIZATION EVENTS WITH ALCOHOL**

While Woodbury University's alcohol policy reflects current interpretations of federal, state, and local laws governing the possession, distribution, and use of alcohol, it also expresses the University's commitment to responsible drinking and behavior. The Woodbury University Policy for Events with Alcohol can be found in this handbook. Woodbury University has developed a set of guidelines to help student organization event coordinators understand their role. The guidelines below are intended to benefit both event coordinators and guests and should be incorporated into event planning in the spirit of host responsibility. Accordingly, event coordinators may wish to complement these guidelines by adding other measures to ensure the safety of their guests. Any exceptions to these guidelines require the permission of Student Affairs.

**A. Procedure to Apply for an Event with Alcohol:**

1. University-recognized organizations wishing to have alcohol at an organization-sponsored event (on or off campus) must submit a Petition for a Student Function with Alcohol, available from Student Affairs.
2. For events requiring ASWU Funds, the Petition for a Student Function with Alcohol and Facility Reservation and Event Authorization Form must be completed and submitted prior to the Organizational Allocations Committee meeting at the beginning of each semester. For events not requiring ASWU Funds, the Petition for a Student Function with Alcohol and Facility Reservation and Event Authorization Form must be submitted at least three weeks prior to the event.
3. After a Petition for a Student Function with Alcohol is submitted, it is the responsibility of the student organization to schedule a meeting to discuss and plan the event with the Vice President of Student Affairs or an Administrative Coordinator no later than three weeks prior to the event date. This meeting must be attended by the event coordinator(s) \* and may require the attendance of the Organization Advisor and/or the student organization President.
4. Some club events, parties, and certain other events may require one event coordinator per 100 guests expected to attend. Therefore, multiple event coordinators may be required for a student organization event with alcohol.
  - a. Event coordinators agree to be present for the duration of the event.
  - b. Event coordinators agree not to consume alcohol during the event or for 12 hours prior to the event.
  - c. Event coordinators agree to discourage drinking and driving by providing information regarding alternative transportation.
5. If the Petition for a Student Function with Alcohol is approved, it is the responsibility of the student organization to schedule a meeting with Student Affairs to finalize all plans and arrangements for the approved event. The student organization event coordinator and the Organization Advisor must attend this meeting.

6. Student Affairs may request additional meetings to discuss details of events with alcohol if necessary, information is unavailable during the initial post-approval meeting.

\*Student organization "event coordinator" is synonymous with the "host" referred to in the Woodbury University Policy for Events with Alcohol.

**B. Woodbury University Student Organization Events with Alcohol Guidelines:**

1. No University campus activity fees or OAC funds may be used to purchase alcohol.
2. Sale of alcohol by the University or any student, visitor, or organization is prohibited.
3. Tickets to an event may not be redeemable for alcoholic beverages.
4. Alcoholic beverages are prohibited at student organization recruitment events.

**C. During the Event:**

1. Student organization events with alcohol have a maximum duration of six hours, with events concluding no later than 2:00 a.m. Members of the organization may stay up to two hours after the conclusion of the event for cleaning purposes.
2. The maximum number of alcoholic beverages a guest may consume during an event is one drink per hour, not to exceed four drinks total.
3. Alcoholic beverages may be consumed only during the time of the registered event and may not be served during the final hour of the event. Only non-alcoholic beverages may be served during the last hour of the event.
4. The University and/or student organization has the right to deny entrance to any individual they believe may cause disruption to the event or may be providing false identification.
5. Security personnel or the student organization advisor will issue wristbands to all individuals approved to consume alcohol at the event. Only University-issued wristbands may be used. Wristbands have a designated number of tabs attached based on the number of drinks each individual may consume during the event.

The bartender will remove a tab from the guest's wristband each time the guest receives an alcoholic beverage. Alcoholic beverages will be dispensed one at a time only.

6. Students and organizations in violation of these rules are subject to conduct charges.

#### **D. Security for Events on Campus with Alcohol:**

1. Student Affairs will provide an estimate of the cost of providing security officers at the scheduled event at least one week prior to the event date.
2. Any additional security charges incurred due to unforeseen circumstances will be billed to the student organization.
3. University Security must be present throughout and, if necessary, after the event to ensure parking lots and other areas of campus are properly vacated.
4. Organizations are encouraged to institute designated driver or key collection programs for all events.

#### **E. Off-Campus Events**

1. All contracts with venues for events with alcohol must be signed by the Dean of Students or the Designee of Student Affairs. Student organizations should not make any payments until contracts have been reviewed and signed.
2. To ensure that off-campus venues conform to local and state laws, organizations must submit copies of the following documentation prior to posting publicity for their events:
  - a. A valid Liquor License
  - b. Liability and Insurance Coverage
3. Organizations may not contract with venues that require bar guarantees.
4. The Designee for Student Affairs may determine that the sponsoring student organization must provide transportation for off-campus events. The organization may charge students for transportation.

#### **F. Security for Off-Campus Events with Alcohol:**

1. Organizations may utilize security provided by off-campus venues. Contracts must describe the number of security personnel provided.

Additionally, each venue's security must agree to abide by all University policies and procedures regarding events with alcohol.

2. Events held at venues that do not provide their own security must utilize University Security. Please refer to Section E for this process.

#### **G. Organization Advisor(s):**

1. Student organization advisor(s) are expected to attend events with alcohol. Some club events, parties, and certain other events may require one advisor per 100 guests expected to attend. Advisors are required to attend the full duration of the event and may be asked to assist the organization by arriving earlier or staying later. Advisors agree not to consume alcohol for the duration of the event or for 12 hours prior. Advisors agree to document any incident and/or potential policy violation and submit that documentation to Student Affairs by the end of the business day following the event.
2. Advisors are expected to attend at least one planning meeting with the event coordinator(s) and Student Affairs. Additionally, student organizations should keep their advisors apprised of developments in the planning process.
3. Advisors will be issued wristbands for the event and will be responsible for returning any remaining wristbands the next business day. Wristbands may be in the possession of student organization advisors or Security personnel only. Prior to the start of the event, the advisor(s) should facilitate a briefing that includes the event coordinator(s), bartending staff, and security staff to review pertinent procedures and role expectations.
5. Advisors should work in consultation with the organization's event coordinator(s) and Security personnel to address issues that arise during the event. In the event of an emergency or if questions and concerns arise, advisors agree to contact the designated Student Affairs staff member.

#### **H. Guest Responsibility:**

1. A guest is defined as any person attending an event.
2. The sponsoring organization may be held accountable for the actions and behaviors of their guests.

**I. Publicity:**

Refer to the general Campus Publicity Policy for guidance on promoting on- and off-campus events.

**J. Private Events (sections A–G above do not apply):**

The Woodbury University Policy for Events with Alcohol defines two types of student organization events that are considered private.

1. On-campus events hosted by a student organization where attendance is determined by personal invitation to a limited number of individuals with the organization's advisor(s) present for the entire event. These events must adhere to the following guidelines:
  - a. Hard liquor is prohibited.
  - b. There must be a system in place to ensure that no one under 21 years of age is served any alcoholic beverages. This requires two steps:

**I. Confirming Individuals' Ages:**

- The organization advisor(s) may check government-issued picture identification at the entrance (acceptable identification includes valid driver's license with photo, government- issued photo ID card, or passport); university identification cards are not sufficient proof of age.
- For events where invitations are extended only to a limited number of Woodbury community members, the organization may be required to submit a comprehensive list of invitees to Student Affairs at least one week prior to the event. The Designee for Student Affairs will then provide the advisor(s) with a list of invitees' ages from the school records.

**II. Ensuring no one under 21 years of age is served any alcoholic beverages.**

- Use of a wristband or ink stamp to mark the hands of all persons determined to be of legal drinking age; and/or
- Color-coded place cards for sit-down meals where seating is designated.

# Campus Resources

## Business Office

The Business Office is available to answer any questions you may have about student accounts. Working closely with the Financial Aid Office, the Business Office strives to ensure that your student account is financially accurate and that you thoroughly understand all payment responsibilities and options.

### STUDENT ACCOUNT MANAGEMENT

Students can access their accounts, view current balances, and pay tuition bills online 24 hours a day, seven days a week via Self-Service. The Business Office offers several convenient methods for you to pay your bill. You can pay online utilizing your Self-Service account, mail payments in advance of the tuition payment due date, pay in person during normal business hours, phone in payments to our office, as well as via ACH or wire through your bank.

The Business Office is pleased to offer you these payment options for your account:

- Check (Personal, Cashier, Money Order)
- ATM/Debit Cards
- Credit Cards (American Express, MasterCard, Visa, Discover Card)
- Wire Transfer
- ACH

For more information regarding Business Office services, policies, and procedures, please refer to the Woodbury University Portal. We cannot accept Cash payments at this time; however, credit card payments can always be made online via Self-Service. Due to Covid-19 restrictions, please contact the campus prior to making any in person visits.

## Financial Aid

Approximately 90% of students attending Woodbury in the past year received some form of financial aid. The Financial Aid Office is committed to making attending Woodbury an affordable experience for you and your family. For more information regarding Financial Aid services, policies, and procedures, please refer to the Woodbury University Catalog.

## Food Services

Woodbury meal plan programs entitle students to 8, 10, 12, or 14 meals per week from Monday morning breakfast through Sunday dinner. Students on Resident Meal Plans are entitled to one meal during any single meal period and may use flex dollars anytime New Woody's Café is open. Any student may participate in a meal plan program. Non-resident students may purchase meal plans through the Residence Life Coordinator. Commuter students are encouraged to purchase a Commuter Meal Plan. This plan consists of 5 meals per week plus \$75.00 in Flex Dollars. This meal plan is available to any non-resident student and may be purchased through the Business Office during registration each semester. Information about meal plans is available through Student Affairs or the Business Office.

### LOST OR STOLEN UNIVERSITY ID CARDS

If your University ID Card—which includes your Meal Card—is lost or stolen, notify the manager at New Woody's and the University Library immediately. Until you replace or find your lost University ID Card, you will be required to pay \$5.00 for each meal.

### FLEX DOLLARS

- Additional flex dollars may be purchased at New Woody's or at the Business Office. If flex dollars are purchased through the Business Office, please submit the yellow receipt indicating the amount added to New Woody's so the funds may be applied to your flex account.
- Items such as protein bars, trail mix, bottled beverages, or specialty desserts are not offered as part of meal plans, but may be purchased with flex dollars.
- Students may use flex dollars to purchase meals for friends or family. Students may not use their meal cards to purchase meals for others.



**SACK MEALS**

Students prevented from eating during regular meal hours by campus activities or work schedules may request a sack meal. All sack meals must be requested at least 24 hours before they are to be picked up (during standard weekday operating hours only). A University ID Card must be provided at pickup. Students are required to pick up sack meals within 4 hours of the requested pick-up time. Sack meal menu options may be limited due to health codes. Prepared meals that are not picked up will be charged as full meals and the student will be removed from the Sack Meal program.

**SICK TRAYS**

All students unable to eat at New Woody’s due to illness will be provided meals via the following procedure:

- Sick tray requests must be made by Residence Life Staff.
- Each sick tray request must be accompanied by the University ID Card of the person who is sick.
- Sick trays may be obtained from the manager or chef on duty.

**FAMILY VISITS**

New Woody’s is happy to provide one (1) complimentary meal per semester for family members visiting residential students. Please notify the manager at New Woody’s the date of the visit via e-mail to ensure arrangements are made in advance. Meals provided are the same offered on residential student meal plans.

**ADDITIONAL INFORMATION**

- No meal refunds will be given under any circumstances.
- A card may only be used by another student when written/email consent has been received by the manager at New Woody’s or with written/e-mail consent from the campus nurse.
- Any meal card used by someone other than the proper owner will be confiscated and turned over to the Office of Student Affairs for appropriate conduct action.
- Fraudulent use of any meal card will immediately be reported to Student Affairs for appropriate conduct action.

**Library**

The library provides access to a wide variety of information resources including books, e-books, periodicals, DVDs, and streaming video to support coursework at Woodbury. Both our Burbank and San Diego locations are equipped with comfortable study areas, desktop computers, photocopiers, and scanners for student use. Research assistance is available anytime during the library’s open hours by visiting in person, via online chat, or by phone. Research databases and electronic resources can be accessed off campus with a current Moodle username and password. A current Woodbury University ID Card is required to borrow library materials. Most library materials may be borrowed for three weeks; DVDs for one week; course reserves for two hours. The library’s hours of operation vary throughout the year to accommodate the academic cycle.

**REGULAR HOURS OF OPERATION:**

Monday–Thursday: ..... 8 a.m. - 10 p.m.  
 Friday: ..... 8 a.m. - 6 p.m.  
 Saturday: ..... 10 a.m. - 6 p.m.  
 Sunday: ..... Closed

For more information regarding the library’s collections, services, and policies, visit <http://library.woodbury.edu/>.

**University ID Cards**

The Woodbury University ID card is the official student Identification card. This card serves as library card, meal card and access to many University services including the computer labs. Students are required to carry their University ID cards whenever they are on campus.

University ID cards are free; replacements \$5 each.

**Registrar's Office**

The Registrar’s Office provides a variety of academic services to students, faculty, and alumni. Our primary responsibilities include assisting students to register for classes, verifying student enrollment, and certifying students for graduation. We are also responsible for certifying enrollment for students receiving Veterans’ benefits. If you have questions about course offerings, major requirements, academic calendar dates, or other academic issues,

please feel free to stop by and talk with us. In most cases, appointments are not necessary. Simply come to the office while on campus or call us at (818) 252-5270. Most forms are available online at: <http://my.woodbury.edu/Forms/default.aspx> . Transcripts can be ordered from the National Student Clearinghouse: <http://getmytranscript.org/>

### Student Affairs: Office of Disabilities and Accessibility Services

As a part of Student Affairs, the Office of Disabilities and Accessibility Services (ODAS) works with University Administration, faculty and staff to foster campus-wide awareness and understanding of issues related to disability, accessibility, and equity.

In addition, the Office of Disabilities and Accessibility Services works collaboratively with the campus community to remove barriers and promote an engaging learning environment, where students with disabilities can utilize their skills to pursue and attain their academic and personal goals.

Students seeking accommodations for their classes are encouraged to visit <https://woodburyedu.sharepoint.com/sites/ODAS> to explore how to connect with the Office of Disabilities and Accessibility Services and how to obtain academic accommodations. Students are welcome to reach out directly to ODAS via email: [disabilities@woodbury.edu](mailto:disabilities@woodbury.edu) or phone: (818) 394-3345.

### Student Support Services: Counseling Services

There are times when the stresses of a personal, family or social situation impact your ability to function academically and/or personally. Counseling Services encourages students to feel empowered and comfortable in reaching out for help. A team of Qualified Mental Health Professionals, counseling services staff incorporate a philosophy of wellness in which each person becomes more aware of who they are and makes choices toward positive change. Students who participate in counseling services can benefit significantly from our evidence-based, solution focused, Cognitive Behavioral Therapy approach. No problem is too big or small to reach out for help!

Contact our office at 818-252-5237 or via email to [Ruth.Burgher-Gibore@woodbury.edu](mailto:Ruth.Burgher-Gibore@woodbury.edu) for more information or to request services.

Appointments are scheduled with Licensed Therapists Rhex Bartolome and Ruth Burgher-Gibore at the Burbank campus, and Counselor Ryan Burtanog at the San Diego campus.

#### **For life threatening emergencies, always dial 911 and campus security at 818-252-5208.**

Virtual appointments are provided during the pandemic via Ring Central. No walk-ins are being accepted at this time. When on campus, Counseling Services is located in the Whitten Student Center with office hours of Monday through Friday from 9am to 6pm.

## Student Affairs: International Student Services

Woodbury embraces its international student population and international students who attend Woodbury become closely connected, not only with the campus community, but with the broader southern California community and beyond. Housed in the Whitten Student Center on the Burbank campus, Woodbury International Student Services strives to support international student success through the following endeavors:

- Advising students on immigration regulations that affect their status in the U.S.
- Providing programs that help promote cross-cultural adjustment
- Serving as a resource to the campus and international student communities
- Advocating for international students and international education

Essential resources on F-1 visa and campus events information can be found at <https://woodburyedu.sharepoint.com/sites/ISS/SitePages/Home.aspx>. For all international student related inquiries, please contact International Student Services at [iss@woodbury.edu](mailto:iss@woodbury.edu) or (818) 252-5265.

## University ID Cards

The Woodbury University ID card is the official student identification card. This card serves as library card, meal card, and ID card, and gives you access to many University services including the computer labs and utilization of the access control system. Students are required to carry their University ID cards whenever they are on campus. Security and other University Administrators reserve the right to revoke the students' ID at any time.

New students are issued University ID cards through the Library by presenting proof of paid registration either during Summer Orientation, Advising, and Registration (SOAR), or during Welcome Week. ID photos will be taken at the library, and library staff will inform students when finished University ID cards are available for pickup. University ID cards are only valid when affixed with stickers indicating current semester and year. Each semester, students update their ID

cards by presenting proof of current registration at the library. University ID cards are free; replacements, \$15.00 each. If the ID card stops working and is not destroyed/damaged, replacement will be free.

Should SOAR and Welcome Week events not be able to take place in-person, students can obtain a new ID through the security office by emailing [HelpDeskCampusSecurity@Woodbury.edu](mailto:HelpDeskCampusSecurity@Woodbury.edu). In this email, new students will submit a photo of themselves from their shoulders and above with a white background, and security administrators will inform students when the finished University ID is available for pickup from security at the front gate of the Burbank campus. Should campus be closed and a student needs their ID Card updated, they can visit the security office in Whitten Hall or from security officers at the front security kiosk in Burbank by presenting proof of current registration

# Addendum

## Special Considerations

### Lactation Policy

Woodbury University recognizes the importance and benefits of breastfeeding for both mothers and infants. The University upholds the legal rights of breastfeeding mothers, by accommodating students who wish to express breast milk during workday, when separated from the newborn child.

### Accommodation for Lactating Student Mothers

Any student who is breastfeeding will be provided a reasonable accommodation to express breast milk for their infant. The University has designated a Lactation room located in the Atrium Business building, called Mothers' Room for this purpose.

For more information, or to obtain assistance setting up a reasonable lactation accommodation, please contact the Office of Disabilities and Accessibility Services at [disabilities@woodbury.edu](mailto:disabilities@woodbury.edu), or call (818) 394-3345

### COVID-19 Vaccine

As we continue to navigate through the COVID-19 pandemic, Woodbury University is committed to the safety and welfare of all stakeholders. As such, the University works in alignment with the CDC, Department of Public Health and all Los Angeles County mandates.

Please note: All residents living on campus, beginning fall 2021, will be required to have the COVID-19 vaccine. For information about where to get your vaccine, please contact your Primary Care Physician.

According to the CDC, COVID-19 vaccines may be administered to most people with underlying medical conditions. Please speak with your healthcare provider about all of your allergies and/or health conditions, to seek guidance about receiving the vaccine.

If you have spoken with your healthcare provider and have been informed that receiving the COVID-19 vaccine may pose a risk to your health due to a diagnosed medical condition, please contact the Office of Disabilities and Accessibilities Services at: [disabilities@woodbury.edu](mailto:disabilities@woodbury.edu), or call (818) 394-3345.