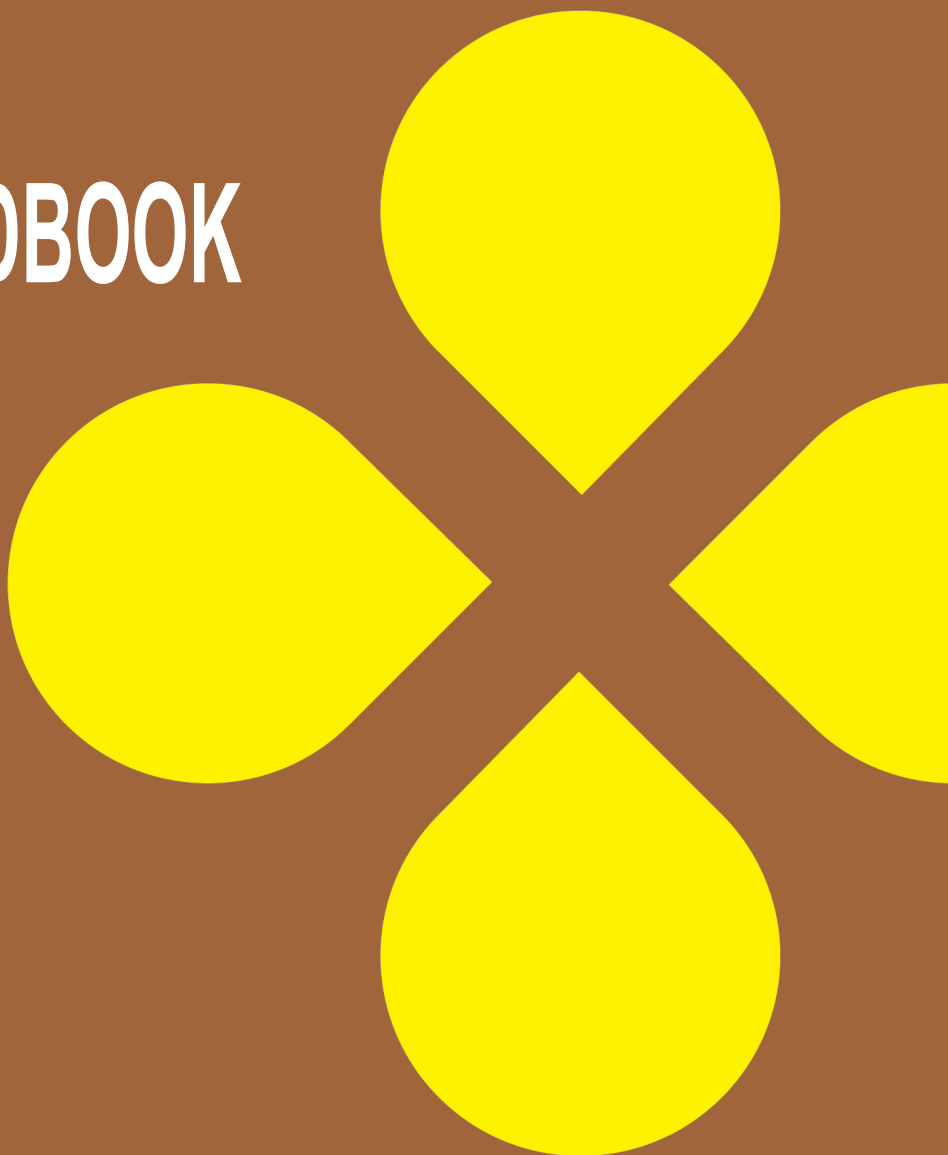


# STUDENT HANDBOOK



Quincy  
University

2022–2023



Quincy  
University

Office of the President

QUINCY.EDU



*President McGee and Victor E. Hawk*

Dear student:

By the time you read these words, I expect you will have been warmly and repeatedly welcomed to Quincy University, whether you are a returning student or are new to QU. As a Catholic university sponsored by the Franciscans, hospitality is one of our fundamental values. I hope you always will feel included and help others feel included by this caring community.

The Student Handbook provides an explanation of an array of campus resources, along with many of our policies and procedures. Your personal safety and timely graduation will require you to follow these policies and take advantage of the many opportunities on our campus for academic and personal support. Our policies are revised each year, and, this year, we have once again updated many of our policies related to COVID-19 and other pandemics.

Please read this newest edition of the *Student Handbook* carefully, as it explains many requirements for campus life that are intended to keep us safe and to ensure the good of our entire community. While we typically revise the *Handbook* in the summer, we reserve the right to update the *Handbook* at any time.

We want you to seek out our faculty and staff and get whatever help you need to thrive as a QU student and alumnus. We are here to help you to succeed, to thrive, and to get ready for a life of joy and achievement. If you are new to QU, rest assured you will find plenty to see and do at Quincy University and in Quincy. I look forward to seeing you at many campus activities in the coming weeks and months.

Let's have another year of achievement in and out of the classroom and the laboratory. It's always a great day to be a Hawk!

Warmly,

Brian R. McGee, Ph.D.

# Introduction

Welcome to Quincy University! Our University is a learning community rooted in Franciscan traditions and academic excellence. University life consists of many factors that contribute to a positive experience. From your first day on campus, Quincy University will support and encourage you in your success, both in and out of the classroom. The purpose of the Quincy University Student Handbook is to inform and educate you regarding policies and resources in a user-friendly format.

This handbook provides you with a comprehensive guide to campus resources, your rights and responsibilities and important information regarding your role as a student at Quincy University. You are expected to read and understand the handbook and will be held to the standards, expectations and rights as outlined.

You are required to familiarize yourself with the policies and regulations appearing in the Quincy University Student Handbook and in the academic catalog of the University as well as other policies, procedures and regulations as established by specific academic departments and administrative offices. Quincy University reserves the right to edit and update policies and procedures in this handbook as necessary.

Notification of edits or updates will be emailed to current QU student emails that are on file at the University.



## Mission Statement

Quincy University stands as a Catholic, independent, liberal arts institution of higher learning in the Franciscan tradition. Inspired by the spirit of Francis and Clare of Assisi, we respect each person as a sister or brother with dignity, value, and worth. We work for justice, peace and the integrity of creation. We prepare men and women for leadership and for the transformation of the world by educating them to seek knowledge that leads to wisdom. We welcome and invite all to share our spirit and life.

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The Quincy University Student Handbook applies to all students of Quincy University, regardless of College or program affiliation. This publication of the Student Handbook contains the most current information available as of the date of publication. This publication supersedes all previous editions of Student Handbooks. The University reserves the right to modify the policies of this Student Handbook at any time, and those policies become effective immediately upon the publication date.

Last Revision: August 2022

# The Bonaventure Program

Quincy University's educational mission in the Catholic, Franciscan tradition has two parts: who we want our students to be and what we want our students to know. Accordingly, we seek to instill in our graduates, values which will enable them to pursue wisdom and to transform the world, and to impart the knowledge and skills essential for educated persons to live successful and productive lives.

The common educational experience provided for our students is known as the Bonaventure Program, named after St. Bonaventure, who was a 13th century Franciscan scholar. The program includes knowledge in the traditional liberal arts and sciences, where students use disciplinary and interdisciplinary modes of inquiry to investigate aspects of the natural and human world. This investigation requires reflection on ultimate questions and intellectual exploration of multiple perspectives and cultures. In the Franciscan tradition, such a journey expresses openness to the truth of the other and is founded in respect for persons and the integrity and goodness of creation. This journey is undertaken in community and towards action in the world. The goals of a liberal arts education--academic breadth, civic engagement, critical reading, writing and thinking—are supplemented by the Franciscan values of respect, justice, peace and service.

Students create an e-portfolio of significant assignments in Bonaventure Program courses. In the senior year, students review their portfolios and reflect on the relationship between what they learned in their majors and what they learned in the Bonaventure Program. We believe it is important to integrate the Quincy University learning experience.

The Bonaventure Program intends to set students

on the path of lifelong learning and guide them to become thoughtful, moral individuals. The learning outcomes of the Bonaventure Program include knowledge, skills, and dispositions. Learning outcomes in the arts and sciences disciplines are assessed at the program level. The following learning outcomes are assessed at the university level:

## **Written Communication**

Students will demonstrate skill in writing by following generally accepted standards for clear, coherent, audience-centered writing.

## **Oral Communication**

Students will demonstrate skill in speech by following generally accepted standards for clear, coherent, audience-centered speaking.

## **Information Literacy**

Students will access needed information, critically evaluate information and its sources, and use information effectively, ethically and legally for specific purposes.

## **Critical Reasoning**

Students will explore, analyze, and synthesize information in a comprehensive manner prior to coming to a conclusion.

## **Problem-Solving**

Students will utilize appropriate strategic planning processes to answer questions and/or reach desired goals.

## **Global Perspective**

Students will demonstrate an understanding of global issues, conflicts and decisions, including the worldviews of other societies, and their impact on individuals and the global community.

### **Knowledge of Diversity**

Students will demonstrate an understanding of multiple forms of discrimination, the perspectives of groups and individuals affected by discrimination, poverty and/ or other inequities, and the contributions of underrepresented or marginalized social groups.

### **Ethical Reasoning**

Students will apply ethical reflection to a variety of personal, professional, and social issues, using knowledge of multiple ethical theories and perspectives.

### **Knowledge of Franciscan Values**

Students will demonstrate knowledge about St. Francis and key Franciscan values.

### **Creativity**

Students will utilize imagination and original thought to synthesize and/or create innovative results such as concepts, arguments, works of art, activities, etc.

### **Inquiry**

Students will investigate issues, questions, works, and/or things and pursue knowledge independently.

### **Civic Engagement**

Students will integrate civic engagement into their participation in civic activities.

### **Leadership**

Students will apply knowledge of effective leadership to their participation in leadership activities.

### **Critical Self-Reflection and Personal, Intellectual, and Spiritual Growth**

Students will practice critical self-analysis as reflective, educated and ethical persons who pursue wisdom.

# Co-Curricular Plan

Quincy University's educational mission in the Catholic, Franciscan tradition has two parts: who we want our student to be and what we want our students to know. Accordingly, we seek to instill in our graduates' values which will enable them to pursue wisdom and to transform the world, and to impart the knowledge and skills essential for educated persons to live successful and productive lives.

Using the Bonaventure Programs which intends to set students on the path of lifelong learning and guides them to become thoughtful, moral individuals, Quincy University's co-curricular plan aids in students making connections between the classroom experience and out of classroom experience.

Each area is based on our Franciscan values, our Bonaventure Outcomes and our Dimensions of Wellness, all skills that will enhance the student experience.

### **Co-Curricular Outcome #1: Community and Civic Engagement**

Students will demonstrate the ability to engage the QU community, their local community and beyond in purposeful and constructive ways, through intentional activities and programs that will guide them in becoming an active and engaged citizen that promotes social change.

Program examples: service learning, participation in Social Justice Week, participating in Constitution Day activities, various social issue movement, residence life programs, athletic programs, clubs and organizations, Greek life, multicultural programs

### **Co-Curricular Outcome #2: Healthy Habits and Balanced Living**

Students will demonstrate the ability to develop a holistic self, through intentional activities and Programs which will assist students in maintaining



health and balance leading to the development of lifelong well-being habits.

Program examples: Intramurals, wellness activities in the residence halls, attending a mass or any church service, self-care activities

**Co-Curricular Outcome #3: Transformative Servant Leadership**

Through a variety of programs and activities, students will develop their leadership skills, focusing on using those skills to make a difference in the lives of others and impacting the organization positively in which they are involved in.

Program examples: SAAC, Greek Life, Spiritual Mentors, Clubs and Organizations, CAB, RA/RD, Mentoring

**Co-Curricular Outcome #4: Integrative Knowledge and Reflection**

Through the lens of their own life experience students will be able to reflect critically on their decisions and actions while recognizing their strengths and limitations.

Program examples: self-evaluations, work study, accountability process, formal leadership role on campus, athletics.

Co-Curricular Outcome	Franciscan Value	Bonaventure Outcome	Dimension of Wellness
Community & Civic Engagement	Servant Leadership, Service, Pursuit of Knowledge, Justice & Peace, Inclusiveness, Respect	Communication, Knowledge of diversity, Creativity, Leadership, Self-Reflection, Global Perspective	Emotional, Environment, Intellectual, Occupational, Physical, Social, Spiritual
Healthy Habits & Balanced Living	Pursuit of Knowledge, Justice & Peace, Accountability, Respect	Self-Reflection, Leadership, Problem-Solving, Inquiry, Communication	Emotional, Environment, Intellectual, Occupational, Physical, Social, Spiritual, Financial
Transformative Servant Leadership	Servant Leadership, Service, Pursuit of Knowledge, Justice & Peace, Inclusiveness, Respect, Accountability	Communication, Self-Reflection, Leadership, Inquiry, Critical Reasoning, Problem-Solving, Knowledge of Diversity, Creativity	Emotional, Environment, Intellectual, Social, Spiritual
Integrative Knowledge and Reflection	Pursuit of Knowledge, Justice & Peace, Inclusiveness, Accountability, Respect	Communication, Inquiry, Critical Reasoning, Problem-Solving, Creativity, Self-Reflection, Leadership	Emotional, Environment, Intellectual, Occupational, Physical, Social, Spiritual, Financial

# University Departments

## **Academic Affairs**

The office of Academic Affairs is responsible for the academic and instructional activities of QU. Including curriculum development and implementation of academic policies and procedures. Academic Affairs is also responsible for the hiring and evaluation of faculty and personnel in the academic areas. The office oversees the processing of student course evaluations and coordinates Commencement events. Student requests to register for more than 18 hours, and requests for late registration changes, independent study and directed study come to Academic Affairs for approval.

## **Admissions** *FRH 109/Ext 3400*

The purpose of the Admissions team is to build relationships with prospective students and their families. The admissions staff helps students discover all there is to know about Quincy University so each prospective student can receive personalized attention throughout the college search and the application process.

Answering questions about academics, college life, financial aid, service opportunities, hosting campus visits are all part of creating an expectation for the Quincy University experience. Quincy University uses a rolling admissions process that means there are no application and enrollment fee deadlines.

## **Advancement, Alumni Services and Community Relations** *FRH B-39/Ext 3450*

The office of Advancement, Alumni Services and Community Relations is responsible for all fundraising on campus as well as engaging alumni and friends in the University. This office also handles all media relations and information going to the QU Community and the external community. Through face-to-face visits, social media, mailings and electronic appeals, the office solicits investments for campus improvements and scholarships.

## **Athletics** *HFC/Ext 3500*

Quincy University Sponsors sport programs at the intercollegiate level. The Varsity athletic teams are known as the Hawks and compete in the NCAA, Division II Great Lakes Valley Conference (GLVC),

Midwest Sprint Football League, and the Midwestern Intercollegiate Volleyball Association (MIVA).

Current sport offerings include basketball, men's and women's cross country, men's and women's golf, men's and women's soccer, men's and women's tennis, men's and women's volleyball, baseball, football, and softball. For more information on Quincy University athletics, visit <http://hawks.quincy.edu>.

## **Hawk Shop QU Bookstore** *Student Union/Ext3600*

The Hawk shop is located in the Student Union and sells both textbooks and school supplies in-store as well as online and also offers apparel and alumni collectibles.

## **Brenner Library** *Ext 3800*

Brenner Library offers over 109,000 titles of books, a large selection of DVDs and music CDs, multiple workstations, and is wireless enabled. Several laptops and tablets are available to borrow, and a copier and FAX machine is available on-site. The library provides electronic access to thousands of journal articles, US newspapers, research book collections, and image and video collections. A librarian is available throughout the day to help you with your research. The regular semester hours are Monday-Thursday, 8:30 am -11pm; Friday 8:30 am -4:30pm; closed on Saturday and Sunday the hours are 5pm-11pm. More information is available at <http://www.quincy.edu/academics/brenner-library>.

## **Campus Ministry** *FRH 114/Ext 361*

The Campus Ministry program encourages the development and strengthening of the spiritual character of the individual. A schedule of Masses and spiritual programs is available on the QU Campus Calendar. In addition to regularly scheduled religious events, Campus Ministry sponsors a variety



of events and programs that encourage community building and spiritual growth. These programs and events are open to all students, regardless of religious affiliation. Additional information including programs, Mass times, mission trips and involvement opportunities can be found at <http://www.quincy.edu/spiritual-life>

### **City Bus Service**

Students may use their QU ID card to ride on the City of Quincy buses. A schedule is available at <http://www.ci.quincy.il.us/government/CityDepartments/Transit/Routes>

### **Dining Services SC/Ext 3651**

Quincy University Dining Services is proud to offer all-you-care-to-eat dining including a variety of healthful, sustainable, and finished-to-order options, as well as grab and go items and a late-night grill, in the main dining room, and grab and go options at the North Campus Eatery.

### **Facilities 20th & Oak Street Ext 3846**

The Facilities Department serves the QU community by providing housekeeping, maintenance, and grounds services. To submit a work request visit <http://www.quincy.edu/services/facilities> and choose Facilities Work Order, enter the required information, and submit.

### **Health & Fitness Center Ext 3574**

The Health & Fitness Center provides a wide variety of recreational and intramural activities. The Center features 3 multi-purpose gymnasium courts, a 3,600-square-foot fitness room, 17 cardio machines, an aerobics room, an indoor walking/running track, 2 racquetball courts, and a 6-lane intercollegiate pool, and whirlpool. Students, faculty, and staff must present their ID to enter; equipment is available for checkout at the front desk. For information visit <http://www.quincy.edu/student-life/student-resources/health-and-fitness-center> or call 217- 228-5032.

### **Human Resources FRH B-38/Ext 3670**

The Office of Human Resources oversees employee related information for faculty, staff, and students. Students employed on campus will need to visit the Office of Human Resources for payroll and tax purposes.

### **Information Technology FRH 134/Ext 3690**

IT provides support for all campus technology, including laptop or mobile device connection to the network, password resets, printing, as well as other technical assistance. Visit the ITS website at <http://www.quincy.edu/services/informationtechnology> for detailed information.

### **Mailroom FRH B-11/Ext 3727**

The University Mailroom is located in the lower level of Francis Hall in room B10. The University receives letters, documents, and packages from the United States Postal Service (USPS), FedEx, United Parcel Service (UPS), and DHL. Students, faculty, staff, and departments are assigned campus mailboxes. These mailboxes are available to you 24 hours a day.

All resident student mail is normally delivered to student mailboxes by 11AM on weekdays. There is no weekend delivery. Recipients are notified they have an oversized package by a *package pick-up slip* that will be placed in their mailbox. Recipients will need to show their slip and student ID to the mailroom personnel during mailroom hours to claim their package.

Mail should be addressed to you as follows:  
YOUR NAME QUINCY UNIVERSITY 1800 LIND ST., BOX# QUINCY, IL 62301

Stamps are available, as well as, postal services such as weighing and shipping letters/packages. the mailroom will remain closed when the university is closed.

### **Office of Student Development SSC/ Ext. 3788**

Located in the J. Kenneth Nesbit Student Success Center, the Office of Student Development advocates for students and assists students with housing, meal plans, campus involvement, Student Accountability Process, equity and diversity programming, New Student Orientation, Greek Life, intramurals, academic advising, student registration and withdrawal, ADA compliance, success plans, academic support courses, tutoring and supplemental instruction. Security and the Health and Well-Being Clinic located in Friars are also part of the Office of Student Development

### **President's Office FRH 128/Ext 3900**

The President of Quincy University and the Vice President for Mission and Ministry are located in the President's Office.

### **QUEST SSC (Lower Level, Brenner Library)/Ext 3355**

QUEST Center provides current students and alumni with career counseling, development and placement services. A career counselor works individually with students to help them discover their areas of interest and match those interests with careers and majors. To provide additional assistance with the job search process, the Center brings employers from business, industry, governmental and non-profit agencies to campus to interview students and hosts Speed Networking events.

#### *Service Learning*

All QU Students are required to participate in service-learning opportunities during their academic career. Specific requirements can be found by speaking to a member of Quest Center Team.

#### *Study Abroad*

Quincy University encourages students to enrich their education with an international study experience. Opportunities are available for all majors and include short-term faculty- led trips and semester-long independent study abroad.



### **Registrar FRH 130/Ext 3970**

The Registrar's Office maintains all academic records. During pre-registration, course schedules are available; all scheduling forms are processed at the Registrar's Office as well.

### **Student Financial Services FRH 104/Ext 3750**

Student Financial Services is a team of professionals dedicated to helping students locate sources of aid to lessen the financial burdens associated with higher education. The staff provides students with information on financial aid resources, debt management education, and financial assistance counseling, and will assist student in managing their financial obligation to the University. Email at [financialaid@quincy.edu](mailto:financialaid@quincy.edu) or the direct phone number 217-228-5260.

# University Policies

## General University Policies

### Academic Policies

Academic Honesty, and other Academic related policies and procedures, can be found in the Academic Catalog at <http://www.quincy.edu/academics/academic-catalog>. Students who are in violation of this policy will be referred to the Vice President of Student Development.

### Alcohol & Other Drugs

In compliance with the Drug-Free Schools and Communities Act of 1989 (Public Law 101-226), Quincy University has policies regarding the use of alcohol and drugs. The University requires individuals to obey all local, state and federal laws. For the purposes of this policy, alcohol is defined as any traditional liquid alcoholic beverage or any other alcoholic product, in any other form, meant for human consumption including but not limited to powdered alcohol. Drinking games of any kind played on campus with or without alcohol, or any other behavior that promotes the over consumption of alcohol, are a violation of the University Alcohol Policy. Students, regardless of age, displaying any negative behavior associated with consumption of alcohol, including, but not limited to vomiting, unsteady on his/her feet, slurring his/her words, etc., will be considered in violation of the University Alcohol policy. Kegs of any kind are not permitted on campus unless authorized for a function catered by Chartwells and/or another authorized vendor. Specific policies regarding alcohol in on campus housing and at University events are outlined in this handbook.

### Other Drugs

Controlled substances are subjects of federal and state laws. Therefore, information coming to the attention of the University involving the sale, exchange, or transfer of drugs from one person to another may be communicated to public officials for the purpose of prosecution. The following are against University policy:

- The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or illegal drug.
- The selling or distributing of any controlled substance.
- The possession or use of all forms of drug paraphernalia.
- The use of performance-enhancing drugs or the use of any drugs (e.g., painkillers, steroids) for purposes other than those prescribed by a physician.

### Marijuana

Cannabis (Marijuana) in any form of consumption for any reason, including medical, is prohibited on Quincy University property, including but not limited to all residential facilities.

Therefore, the use, possession, manufacture, cultivation, dissemination, or being under the influence of medical marijuana on University property or at University-related activities is and shall remain prohibited.

All students will be required to complete alcohol and drug education yearly through a medium provided by the university. A registration hold will be placed on a student's account if not completed during a designated time.

For information regarding alcohol and drug violation sanctions and accountability, please refer to the Student Accountability Process section of this handbook. Quincy University provides alcohol and drug education and resources.

### Alcohol Use at University Events

Because of the potential for abuse of alcohol, the University also has policies for alcohol use at designated events designed to create an atmosphere of responsibility and moderation. This policy covers all events held on campus or off-campus events sponsored by the University, its representatives or organizations. An event is defined as any activity registered through the Office of Student Development or sponsored by the University.

Sponsoring persons and/or officers of the organization are responsible for the conduct of their event. Events held off campus and sponsored by representatives of the University are subject to federal, state, and local laws along with applicable University policy.

1. Any activity on campus at which students will participate and that involves the use of alcohol must have the written approval of the Vice President of Student Development. Permission to Serve Alcohol form must be completed at the Office of Student Development. The use of alcoholic beverages is restricted to those areas approved by the Vice President of Student Development and to those community members who are of legal age according to state law. Guidelines for serving alcohol at events sponsored by University organizations and representatives follow.
2. Student officers of sponsoring organizations are responsible for ensuring that underage individuals are not served alcohol. The following are approved options:
3. Allow only individuals of legal drinking age admittance to the event.
4. Create a controlled area where alcohol is to be served and consumed, and where only "of age" individuals are admitted.
5. Create a system that clearly designates both the underage and "of age" individuals.
6. Monitors must circulate through the event to ensure underage individuals do not consume alcohol.
7. Alcohol may not be given away free under any circumstances. A system for assurance against inappropriate consumption must be in place.
8. The amount of time during which alcohol is served may be limited.
9. Attractive non-alcoholic beverages, such as name brand sodas or "mock-tails," must be available at events where alcohol is served. A portion of these beverages must be available free of charge.
10. Food, a portion of which is non-salted, must be available when alcohol is served.
11. Food and non-alcoholic beverages must last the entire event.

12. Contests or games that promote the consumption of alcohol are not permitted.
13. Serving of alcoholic beverages must be suspended one-half hour before the scheduled end of the event.
14. Intoxicated individuals will not be allowed into University events. Organizational advisors are expected to hold follow-up discussions with intoxicated individuals and to make appropriate referrals.
15. The Office of Student Development for any event in which alcohol will be served must approve a security plan.

## **American with Disabilities Act of 1990 and Rights of Student with Disabilities under Section 504 of the Rehabilitation Act of 1973**

Quincy University complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 and its 2008 Amendments. These acts identify that "... no otherwise qualified handicapped individual ... shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance (29 USC Sect. 706)." Regulations implementing Section 504 and ADA establish standards for employment practice, accessibility of facilities, and education programs with which institutions receiving federal funds must comply (34 CFR Part 104).

In accordance with these regulations, a qualified person with a disability who meets the academic and technical standards required to enroll in and participate in Quincy University program shall be provided an equal opportunity to obtain a degree in the most integrated setting appropriate to that person's needs. Quincy University makes reasonable accommodations to meet the needs of students with disabling conditions.

The Vice President of Student Development / Dean of Students coordinates the provision of accommodations for students with disabilities in compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and its 2008 Amendments, and their

implementing regulations. Questions concerning the College's Policy should be directed to the Vice President of Student Development/Dean of Students. The office is located in Francis Hall suite 121.

All academic, medical and housing accommodations requested are developed with each student and are reasonable and specific based on current documentation from an appropriate qualified professional. All accommodations are individualized, flexible and confidential based on the nature of the disability and the academic environment. Students will meet with the Vice President every semester to request the academic accommodations and as needed for medical and/or housing.

## **Animal Policy (Service Animals and Emotional Support Animals) Service Animal Statement**

Quincy University is committed to creating a diverse, welcoming, and equitable campus that recognizes the important partnership that exists between an individual with a disability and his or her service animal. Approval for an emotional support animal or service animal must be granted and paperwork must be completed and filed before the animal can come on campus.

Access rights afforded to users of service animals come with the responsibility of the individual with a disability to ensure compliance with all requirements of this policy. The individual assumes full personal liability for any damage to property or persons caused by their service animal, and QU shall not be responsible for any harm to a service animal while on campus, including but not limited to injury to the animal caused by pest management or lawn care products.

The definition of a service animal (28 CFR Part 35.04)

- A service animal is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.
- With the possible exception of miniature horses, other species of animals, whether wild or domestic, trained or untrained, are not service animals.
- The work or tasks performed by a service animal must be directly related to the

individual's disability. Examples of work or tasks include, but are not limited to:

- assisting individuals who are blind or have low vision with navigation and other tasks,
- alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- providing non-violent protection or rescue work,
- pulling a wheelchair,
- assisting an individual during a seizure,
- alerting individuals to the presence of allergens,
- retrieving items such as medicine or the telephone,
- providing physical support and assistance with balance and stability to individuals with mobility disabilities,
- helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Animals not covered under the service animal definition can be asked to leave a QU program or facility. [Note: emotional support/therapeutic animals that are not within the service animal definition may be entitled to reside in QU housing as an appropriate accommodation under the Fair Housing Act as determined on a case by case basis].

## **Determining if a dog meets the definition of a service animal (28 CFR Part 35.136(f))**

- If it is not readily apparent that the animal has been trained to perform work or a task for a person with a disability the ADA allows two inquiries; please be discreet and non-threatening
  - You may ask if the animal is required because of a disability.
  - You may ask what work or task the animal has been trained to perform.
- You may not ask about the nature or extent of a person's disability.

- You may not ask for proof that the animal is certified, trained or licensed as a service animal.

### **The behaviors expected of a service animal and individual with a disability**

- The animal will remain under the direct control of the individual and performs the required behavior.
- The animal will respond to commands, cues, and corrections from the individual (voice command, hand signal, laser light, sound cue, and behavioral cues).
- The animal will not initiate interaction with other animals or people unless released by the individual.
- The animal will maintain a controlled position, in appropriate proximity and position to the individual, on cue by the individual and/or as appropriate to the behavior.
- The animal should not bark, howl, whine, growl, snarl or display bared teeth or gums (unless panting). These behaviors may be considered a direct threat. Note that some alert dogs are trained to bark to get their individual's attention.
- The individual's commands and/or cues are given in a manner that is understood and consistently responded to by the dog, and in a manner appropriate for a public setting.
- The individual is responsible for the care and supervision of the dog including anticipating the dog's need to relieve itself, cleaning up after the animal, and maintaining the grooming, health and local license of the dog.

### **Exclusion of service animals (DOJ, Title II, Amended Regulation, 28 CFR Part 35.136(b))**

- A public entity may ask an individual with a disability to remove a service animal from the premises if:
  - The animal is out of control and the animal's individual does not take effective action to control it, or
  - The animal is not housebroken.
  - The owner is not taking care of the animal.

### **Areas of Safety**

Service Animals shall be permitted at and/or in QU facilities, in accord with the ADA, CFR Part 35, subject to the following:

1. All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Vice President for Student Development at 1800 College Avenue, Quincy, IL 62301, and must contain required documentation of vaccinations. This written request must be delivered to the Vice President for Student Development's office at least 10 business days prior to bringing the service animal to school or a school function.
2. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, and Coronavirus), Bordetella, and Rabies.
3. Owners of service miniature horses must provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephalomyelitis, Rhinoneumonitis, Influenza, and Strangles.
4. All service dogs must be spayed or neutered.
5. All service animals must be treated for, and kept free of, fleas and ticks.
6. All service animals must be kept clean and groomed to avoid shedding and dander.
7. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
8. The animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in schools as a "service animal."
9. The animal must be "required" for the individual with a disability.



10. The animal must be “individually trained” to do work or a task for the individual with a disability.
11. Removal of a Service Animal: A QU administrator may ask an individual with a disability or their parents to remove a service animal from a school building, a classroom, or from a school function if any one of the following circumstances occurs.
  - a. The animal is out of control and the animal’s handler does not take effective action to control it.
  - b. The animal is not housebroken.
  - c. The animal’s presence would “fundamentally alter” the nature of the service, program, or activity.
12. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control.
13. QU is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal’s need to relieve itself.
  - a. QU is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
  - b. Students with service animals are expected to care and supervise their animals. In the case of a young child or a student with disabilities who is unable to care for or supervise his service animal, the parent is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis at the discretion of the building administrator.

more identified symptoms or effects of an individual’s disability. Appropriate documentation is required to establish that the ESA is needed for the student to use and enjoy University housing and fully engage as a student at QU.

Unlike a service animal, an Emotional Support Animal does not perform a task for a person with a disability relating to activities of daily living or accompany that person at all times. As a result, ESAs approved for the residential setting are not permitted in other buildings and are subject to restriction from any area with a no-pet policy.

ESAs can be a reasonable Accommodation to a No Pet Policy. To establish reasonable accommodations, contact the Vice President of Student Development at the Office of Student Development in the J. Kenneth Nesbitt Student Success Center ([tracych@quincy.edu](mailto:tracych@quincy.edu)).

All students who wish to have a service animal will need to have a letter secured from mental health professionals specifically trained in human-animal bond counseling techniques. "It is the recommendation of the HAIC {Human Animal Interventions in Counseling Interest Network} that professional counselors do not engage in the practice of writing letters for their clients, unless the counselor has specialized training and experience in working with human-animal bond in counseling such as would be outlined in the ACA AAT-C Competencies for Emotional Support Animals (ESAs) due to the potential risks involved for clients, the public, the counselor, and the animal. The ACA Code of Ethics C.2.a Boundaries of Competence states that counselors only work within their boundaries of competence based on education, training, supervision, experience and credentials. As Licensed Professional Counselors, the assessment of DSM 5 diagnoses for human clients is within the scope of practice; however, the added practices of animal behavior, behavior assessment or Human Animal Interventions are (most often) not. Emotional Support Animals may, in some specific circumstances, provide benefits to humans to minimize identified symptoms often associated with a DSM 5 diagnoses; however, because of the potential risks and unanticipated outcomes, the HAIC strongly

## Emotional Support Animal Policy

An Emotional Support Animal (ESA) is an animal that provides emotional support, which alleviates one, or

suggests that counselors abstain from writing letters for persons seeking counseling or assessment for the sole purpose of obtaining an ESA recommendation letter." (Advocate, Vol. 41/ No. 3, Fall 2018).

Furthermore, the student must be able to demonstrate an "ongoing therapeutic relationship" as part of the ESA certification process. The letter from the mental health provider must include the date of initial treatment and if a plan has been established for further treatment (yes/no question- no details about treatment plan required).

Students must recertify annually and must provide evidence that they have been in continued treatment since the last certification date.

The student must complete the care plan form each year for their animal, which will include copies of vaccination records and a plan on how the animal is cared for when the student is available and when the student is not available.

Animals are NOT permitted in any building other than residence hall unless the animal is a certified service animal.

Animals that are considered dangerous under IL state law are not permitted on campus. This includes big cat species, wolves, jaguars and poisonous life-threatening reptiles.

## Reasonableness Guidelines

The University, in consultation with the student and other parties, as appropriate, may consider the criteria below in determining whether the presence of the ESA is reasonable in making housing assignments for students:

- Whether the animal poses (or has posed in the past) a direct threat to the individual or others;
- Whether the animal causes (or has caused) excessive damage to housing beyond reasonable wear and tear;
- Whether the size of the animal is too large for available assigned housing space;
- Whether the animal's presence would force another individual from assigned housing (e.g. serious allergies);
- Whether the animal's presence violates other residents' right to peace and quiet enjoyment;
- Whether the animal is housebroken or is

unable to live with others in a reasonable manner.

## Owner's Responsibilities for an Emotional Support Animal

Students granted the accommodation of an ESA in University housing are subject to the following rules and expectations, in addition to any other University rules and regulations.

- The animal must not be unruly, disruptive, or a direct threat to the health and safety of others.
- The animal must be under the owner's control at all times (defined as harnessed, tethered, on a leash, or held by the student).
- The student must establish a care plan that discusses various concerns and issues which include the health and safety of the animal and the cleanliness of the animal.
- The student must follow all local and state laws in regard to pet ownership.
- The ESA is only permitted in the student's room and must be under the owner's control at all times. The animal is excluded from other areas, such as dining halls, Francis Hall, HFC/Pepsi Arena, Brenner Library, North Campus, Hawk's Nest or other areas that prohibit animals.
- ESAs need to be removed so as not to be left unattended during breaks and extended residence hall closures. In general, when the student is gone for an extended period of time the animal should be gone as well. During repairs to the residence, the student must either be present to manage the animal or make arrangements to have it removed during the period of repair. Housing will notify the student of any such repair schedules to determine what is necessary.
- The student is responsible for any damage(s) caused by the animal. A toileting area and receptacle may be established outside the building if appropriate for the type and size of animal. Students should check with the Office of Residence Life & Housing for disposal directions. The student is responsible for picking up their animal's feces and cleaning up after any incident.
- As with Service Animals, the owner is

responsible for the care and supervision of the animal, which includes toileting, grooming, feeding, and veterinary care. Housing/Res Life is not obligated to care for or otherwise supervise the animal. In addition, if the ESA is out of control and the student is unable to control/manage it, or if it is not housebroken, the animal may be removed from University housing.

- The ESA will be held to the same behavioral standards as residents (i.e., noise, disruption, destruction). The student will be held responsible for the animal's behavior and subsequent consequences. The ESA may be removed and prohibited from University housing if the student is unable to control the animal's behavior.
- The owner must abide by any applicable local or state ordinance, law or regulation pertaining to licensing, vaccination, and other requirements for animals residing in housing. The University may require documentation demonstrating compliance with such regulations.
- The animal must be on a leash at all times when outside the student's personal living space.
- The student is responsible for any damage caused by the Emotional Support Animal to University property or to the property of others. The University has the right to bill the student's account for any unmet obligations. QU is held harmless to any damages that animal cause to others.
- The student should request that others avoid petting or addressing his/her Emotional Support Animal, feeding the ESA, deliberately startling the ESA, or separating or attempting to separate the student from the ESA. To the greatest extent possible, the animal should not
  - Make contact with others or their personal belongings;
  - Display any behaviors or noises that are disruptive or aggressive to others; and
  - Block an aisle or passageway for fire and/or emergency egress.

- The animal's behavior is disruptive, threatening, aggressive, or not under control;
- The animal poses a direct threat to the health or safety of others;
- The animal causes substantial property damage to others, including University property;
- The owner does not comply with the Owner's Responsibilities set forth above; or
- The animal or its presence creates an unreasonable disturbance or interference with the University community.

If a request has been granted for an emotional support animal, the approval is applicable only for that specific animal and housing assignment. Requests for another animal or subsequent housing assignments must follow the same procedures, as outlined in this policy, and will be determined following the same guidelines.

### **Applicable Procedures for Emotional Support Animals**

1. To be allowed to have an ESA reside in campus housing, the student must complete these steps:
2. Have a documented disability on file with the Office of Student Development
3. File an Emotional Support Animal Request:
4. Provide a letter from a physician and/or mental health professional verifying the ESA as a strategy of on-going treatment and the connection between the disability and need for the ESA.
5. Sign QU's contractual agreement for an ESA
6. Provide updated vaccination report from ESA's veterinarian
7. Provide proof of liability insurance with liability limits of no less than \$1,000,000 for bodily injury and property damage combined. Proof of liability insurance should be current in force and ongoing while student attends Quincy University.

### **Removal of an Emotional Support Animal**

The University may require the Owner to remove the ESA from University housing if:

Once the request form and necessary documentation has been received by Office of Student Development, QU will review the request and documentation to confirm both the necessity of the ESA and the appropriate accommodation with regard to campus housing.

## **Title XII Public Safety & Welfare Section 167-D:8 II.**

It is unlawful for any person to fit an animal with a collar, leash, vest, sign, or harness of the type which represents that the animal is a service animal, or service animal tag issued under RSA 466:8 or to request a service animal tag issued under RSA 466:8 if in fact said animal is not a service animal.

## **Bullying and Incivility**

Bullying is prohibited under the Code of Conduct and as such can be grounds for disciplinary action, up to and including suspension or expulsion. As defined in the Code, bullying is repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt or diminish another person physically or mentally (that is not speech or conduct otherwise protected by the First Amendment). Bullying and/or incivility involves unwanted behavior among persons and can be interwoven with a real or perceived power imbalance. It can foster or instigate an adverse and counterproductive environment, so as to interfere with or undermine learning, instruction, living environment, participation in a University-sponsored activity, and/or University operations.

Occasional differences of opinion or disagreements and conflicts concerning living arrangements, group assignments or workplace relationships usually do not constitute bullying. It is not bullying behavior for a supervisor to note a student employee's poor job performance and potential consequences within the framework of that department and University policies and procedures, or for a professor or academic program director to advise a student of unsatisfactory academic work and the potential for course failure or dismissal from the program if uncorrected.

All types of bullying or incivility can be anonymous. The perpetrator(s) can purposely withhold or disguise their identity. Bullying can also be conducted through use of the internet or other electronic means. This form of bullying is often called cyberbullying.

An individual who believes a student has engaged in bullying behavior should report the behavior to the University Security Department or any staff member from Office of Student Development. Students who believe that a staff or faculty member has engaged in bullying behavior towards them may follow the procedures for grievances in the Academic Catalog.

## **Business and Finance**

Valid student ID cards are required for processing all paychecks, refunds and withdrawals. Any fines, charges, or statements for damages must be paid as soon as presented to the student. Students who have outstanding charges, fines, or any other financial obligations will not be permitted to register for classes for the following semester until all debts have been paid. Transcripts will not be mailed for students who have unpaid debts. For information regarding specific deadlines for payments each semester, please contact the Student Financial Services.

## **Computer Policy and Use of Information Technology Resources**

The use of information technology resources owned or operated by Quincy University is a privilege and imposes certain responsibilities and obligations. The privilege is subject to University policies, and local, county, state, and federal laws. University computers as well as University technology resources are intended for "business use" which specifically deals with advancing the business and mission of Quincy University.

Information technology resources are defined as all computer-related equipment, computer systems, software, network hardware, as well as all information contained therein owned or managed by Quincy University. As an employer and owner of the network and email system, the law gives the University broad rights to access and copy email and other information stored on University owned equipment. Computers, networks, and communications equipment owned by Quincy University are provided to support the educational mission of the institution. Users of these facilities must understand that such communications are not private. Networks are constantly monitored using both automated and manual procedures to preserve security and efficiency.

Similarly, University-owned computer systems are periodically reviewed and updated by technical support staff to maintain currency and performance standards.

*Content Management:* By having a University computer account or using any aspect of the University's information technology resources the user understands that the University has a right to limit what Internet traffic may come into the University network and what internet traffic may go out by understands that the University may monitor any Internet traffic on a University-owned system for violations of policy, performance issues, and any other issues that are deemed appropriate by the Director of Information Technology.

*Guidelines:* The following guidelines are provided to help define what a user may or may not do with information technology resources.

In making acceptable use of information technology resources, the USER MUST:

1. Protect his/her university username and password from unauthorized use. The user is responsible for all activities on his/ her account or that originate from his/her system.
2. Access only information that is owned by his/her account, that is publicly available, or which the user has been given authorized access.
3. Use legal versions of copyrighted software in compliance with vendor license requirements.
4. Be considerate in the use of shared resources. The user must refrain from monopolizing systems, storing excessive amounts of data on university servers,
5. printing excessively large documents, and all other issues that abuse University shared resources.
6. Respect the rights of others to privacy
7. Respect intellectual property rights (as reflected in licenses and copyrights)
8. Understand and abide by the University's Computer Policy

In making acceptable use of information technology resources the user MUST NOT:

1. Give another person his/her university computer account information.
2. Access or view any pornography related material.
3. Install games, plug-ins, chat programs, P2P, or any other non-business-related software on University systems. Install any software in the computer labs without authorization from Information Technology Services.
4. Attempt to circumvent or subvert system or network security measures.
5. Engage in any activity that is intentionally harmful to systems or to any information stored thereon, such as creating or propagating viruses, disrupting services, damaging files, or making unauthorized modifications to University data.
6. Use a University system or a system connected to any portion of the University network for any illegal or criminal purpose.
7. Use the University's systems for commercial purposes.
8. Download file-sharing programs. Make or use an illegal copy of copyrighted software, store such copies on University Systems, or transmit them over University networks.
9. Use email or messaging services to harass or intimidate another person.
10. Send unsolicited mass mailings.
11. Use the University systems or networks for personal gain; for example, by selling access to your University account or to University systems or networks, or by performing work for profit with University resources in a manner not authorized by the University.

12. Use the University systems or networks for purposes or material that would violate University Policies.
13. Use the University systems or networks for purposes or material that would violate state or federal laws.
14. Disclose any confidential data.

*Passwords and User Accounts:* In order to be granted the privilege of accessing University computers and its networks, the user will be assigned a unique username and password (known as a University computer account). Only staff, faculty, and current students are allowed to have a University computer account.

Authentication by this account is required at the time of access to the University computers and its networks.

The owner of the University Computer Account is accountable for its use. It is the owner's responsibility to protect their account's username and password as well as the integrity of accessible systems and confidentiality of accessible information.

The following password guidelines MUST be followed to have a University Computer Account; failure to do so will result in the forfeit of the account and use of University information technology resources.

1. Password must be at least seven (7) characters long.
2. Previously used passwords must not be used again.
3. Words found in dictionaries should be avoided.
4. Passwords must NEVER be displayed, printed, written down or otherwise recorded in an unsecured manner.

*Usage Policy:* The use of the University supplied data port is subject to all the above guidelines in this policy in addition to the guidelines below.

By connecting any computer to a data port in a University residence or attaching to the University wireless network, the user will be required to fulfill the requirements imposed by network management

protocols necessary to protect users of the University network. These mandate that each computer connected to the network have current operating system security revisions installed (as specified by the respective vendors), and the relevant protections against propagating viruses are in place. Use of the Internet connection is restricted by firewalls and controls on bandwidth consumption which impose limits on certain types of activities, e.g. file sharing. The University reserves the right to prohibit any Internet traffic it believes is disruptive or violates University policies and ethical standards.

The conduct of any illegal activity via the University network is strictly prohibited. The convenience of sharing multimedia data files throughout a global community brings with it a particular responsibility for respecting intellectual property rights.

If a user's system is discovered to have a virus or other security issues a connection may be quarantined or terminated until the problem is resolved.

*Software Installation:* Information Technology Services must approve all software installations on University- owned systems. Users are prohibited from installing any non-business software on University- owned systems. This includes games, chat programs, plug-ins, add-ons, and any other software that is considered non-business related. Information Technology Services and appropriate authority determine what software is non-business related.

*Information Disclaimer:* Quincy University disclaims any responsibility and/or warranties for information and materials residing on non-college systems available over publicly accessible networks. Such information or materials do not necessarily reflect the opinions or attitudes of the Quincy University community. Individuals using computer systems owned by Quincy University do so subject to applicable laws and University policies.

*File Sharing:* File sharing is the practice of distributing or providing access to copyrighted materials illegally. The Quincy University network may not be used to distribute or download illegal copies of copyrighted works and intellectual property of others. Students who allegedly violate this policy will be held accountable through the Student Accountability Process with the potential for further civil and criminal liabilities based on the severity of the violation.



## **COVID-19 Policies**

Should you have any symptoms or concerns about COVID-19 please contact Dr. Christine Tracy, Vice President for Student Development, before attending class or coming on campus.

Residential students who are required to quarantine or isolate will be asked to quarantine at home or another off-campus location, at the student's expense. Quarantined students will not be permitted to go anywhere on campus, including class and athletic activities and must follow the quarantine guidelines sent to them by the university.

Students are required to abide by the requirements of the Adams County Health Department and/or Quincy University regarding directions to quarantine or isolate. Any student who refuses to quarantine or isolate when directed to do so, lies, or misleads representatives of the Adams County Health Department or Quincy University will not be permitted to continue to live on campus and may...

All COVID-19 policies are subject to change, including athletic policies pending local, state, and national guidelines. Athletic policies may change if the conference for the particular sport changes a policy.

## **Discrimination Policy**

Quincy University is a private, Franciscan and Catholic Liberal Arts University. The Franciscan tradition stands for respect for each individual and concern for all.

QU is committed to providing equal opportunity to all qualified individuals in its employment and personnel practices and its admission and treatment of students, which will assure that there will be no discrimination against any person based on race, religion, age, ethnic or national origin, gender, disability, veteran status, marital status, sexual orientation or political persuasion. Decisions on employment and admission are made on the basis of the qualifications of the individual for the position being filled. Decisions on promotion are likewise made on the basis of the qualifications of the individual as they relate to the requirements of the position for which the individual is being considered. To maintain its Franciscan character, the University does, however, retain the right to give preference to qualified Franciscans in all positions of employment.

All personnel policies, including those of fringe benefits, compensation and advancement, transfers, and the like, are administered without regard to race, religion, age, ethnic or national origin, gender, disability, veteran status, marital status, sexual orientation, or political persuasion.

These policies apply to all employees in all departments of the University and to all University students.

## **Drone Policy**

### **Recreational Use**

Recreational use of Unmanned Aerial Vehicles (UAV's) – commonly known as drones - is not permitted on or above any Quincy University owned or controlled property.

### **Educational or Employment Related Use**

Any University employee or student who wishes to operate a UAV as part of University educational programs or employment must first notify and obtain authorization from the Office of Safety & Security. The requesting student or employee must be in full compliance with all applicable FAA regulations prior to the request.

Additional details and questions are available in the Office of Safety and Security.

### **Non-Compliance**

Any UAV use other than as permitted by these guidelines will be referred for Student Accountability Process adjudication.

## Electronic Bullying

Electronic Bullying (cyber bullying) is the sending or posting of cruel, hurtful, threatening, or harmful materials via the Internet or cell phone. Electronic Bullying may be limited to a single instance or be a pattern of intimidation. Forms of cyber bullying include but are not necessarily limited to electronic fights (flaming), offensive messages (harassment), threatening messages designed to instill fear (cyber stalking), denigration (dissing), electronic identity theft, or sharing secrets or embarrassing information (outing). If a student feels they have been a victim of electronic bullying, they should report the event to Security without delay. Any student in violation of electronic bullying will be referred to Student Accountability Process.

## Failure to Comply

All policies outlined in the student handbook must be followed. Should a student not follow the policies and/or failure to comply with the directions of University officials (including Resident Advisors/Directors) or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so; refusal or failure to leave premises because of conduct prescribed by this code could result in suspension or expulsion. This could pertain to all policies at Quincy University in and out of the classroom, residential or commuter.

## Family Educational Rights and Privacy Act (FERPA)

Quincy University, in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA), affords students certain rights with respect to their education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day Quincy University receives a request for access. Students should submit to the registrar written requests that identify the record(s) they wish to inspect. The registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the registrar, the registrar shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is defined as a person employed by Quincy University in an administrative, supervisory, academic, or support staff position (including law enforcement unit and health staff); a person or company with whom Quincy University has contracted (such as attorney, auditor, or collection agent); a person serving on the Board of Trustees; or assisting another school official in performing his or her tasks. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Quincy University to comply with the requirements of FERPA. Formal complaints may be filed at Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202- 4605.

## Directory Information

Directory or public information differs from personally identifiable information. Quincy University defines directory information as name, home address, hometown, phone number, date and place of birth, major, minor and concentration field(s) of study, participation in activities and sports, dates of attendance, degree(s) received, honors and awards received, most recent institution attended, weight and height of athletes, and full- or part- time status. Directory information is available to the public unless a student chooses to exercise his/her right to non-disclosure. To prevent release of directory information, the student (defined as one who is currently attending or previously attended Quincy University) must request, in writing, non-disclosure of his/her directory information. Once a non-disclosure request has been processed, it remains in effect until the student requests, in writing, that the non-disclosure request be removed. Please note if a student has chosen non-disclosure of directory information, Quincy University cannot verify any information to a third party.

Examples of third-party requests for information include current or potential employers (e.g., to confirm data on a resume), insurance agencies (e.g. Good Student discount), and family members. A complete copy of the FERPA is available upon request in the registrar's office.

## Films on Campus

Quincy University complies with the Federal Copyright Act (Title 17, United States code, Public Law 94- 553, 90 Stat. 2541) governing how copyrighted materials, such as movies, may be utilized publicly. Neither the rental nor the purchase nor lending of a videocassette or DVD carries with it the rights to exhibit such a movie publicly outside the home, unless the site where the video is used is properly licensed for copyright compliant exhibition. This legal copyright compliance requirement applies to colleges, universities, public schools, public libraries, daycare facilities, parks, recreation departments, summer camps, churches, private clubs, prisons, lodges, businesses, etc. regardless of whether admission is charged, whether the institution is commercial or non- profit or whether a federal, state or local agency is involved. The movie studios that own copyrights, and their agents, are the only parties who are authorized to license sites such as colleges and universities. No other group or person has the right to exhibit or license exhibitions of

copyrighted movies. Furthermore, copyrighted movies borrowed from other sources such as public libraries, colleges, personal collections, etc. cannot be used legally for showings in colleges or universities or in any other site that is not properly licensed.

## Firearms, Explosives, Fireworks, and Inflammables

The possession or use of firearms, bows and arrows, paint-ball guns, air soft guns, slingshots, explosives, fire- works, candles, halogen lamps, gas grills, incense, inflammable fluids, dangerous chemical mixtures, propelled missiles, or similar items is strictly prohibited unless under the supervision of faculty while participating in a University course.

### Fire Safety

Quincy University administers an aggressive program of regular inspection, testing, egress drills, and maintenance of university premises to ensure compliance with applicable fire and life safety codes and standards.

### Fire Safety Tips:

- In case of a fire, pull fire alarm and evacuate the building immediately.
- Fires produce deadly gases; stay close to the ground.
- Pull stations are located on each floor of your residence hall near the exits.

### Fire Safety Reminders:

Do not allow trash to accumulate. It is the student's responsibility from their room. It can be taken to the nearest dumpster NOT THE BATHROOM OR OUTSIDE TRASH RECEPTACLES. Students found in violation of this policy will be assessed a \$75 fine per trash bag no matter size.

- Careless disposal of cigarettes is the cause of many fires. Students are not permitted to smoke in the residence halls; this includes usage of electronic smoking devices.
- The use of any open flame including candles, incense and lanterns is prohibited in residence halls.
- Do not overload electrical outlets

- Holiday decorations can be dangerous, so consult your residence assistant for advice on decorating safely. Live trees are prohibited.
- Students are not permitted to grill inside their room.
- Never leave your stove unattended when cooking.
- Window Treatments: All curtains, decorations, or displays used in windows must be made of fire-resistant materials.

## Tampering with Fire Equipment

Tampering with pull stations, smoke detectors, and fire extinguishers that cause false alarms inside of residence halls is a crime. False alarms endanger building occupants and responding firefighters. Students may not tamper with the smoke detector by covering it up.

## Fundraising

The Office of University Advancement with collaboration from the Office of Student Development has administrative responsibility for the approval of group fundraising activities. All fundraising efforts on the part of Registered Student Organizations must be coordinated through those offices. For purposes of this policy, fundraising is defined as the collection of money through donations or sales and/or the collection of goods or services for an event or program.

Only recognized student groups in good standing are permitted to engage in fundraising activities. All RSO's must apply for fundraising by obtaining the fundraising form from Office of Student Development.

The Office of Student Development in collaboration with the Office of University Advancement maintains administrative responsibility for the approval of group fundraising activities.

For purposes of this policy, fundraising is defined as the collection of money through donations or sales the collection of goods or services for an event or program. Only recognized student groups in good standing are permitted to engage in fundraising activities.

### Process

1. Before approaching a business to request donations, please note the following process:

2. Complete a Donation Request Form.
3. The form can be obtained from the Administrative Assistant for the J. Kenneth Nesbitt Student Success Center.
4. Submit a completed form to the Office of Student Development at least two weeks before you wish to solicit.
5. The Office of Student Development in collaboration with the Office of University Advancement will review the list of businesses/organizations on the Donation Request Form.
6. After it has been confirmed that your student organization can solicit the businesses listed, you will receive a phone call or email with consent to approach the businesses. Please do not begin soliciting for your donations before you have heard from our office.

### Helpful Hints

1. Develop a formal and personalized letter introducing your organization and/ or the event to the business(s) you are approaching for donations.
2. Make an initial contact in person and leave the letter if you cannot speak to the
3. manager or person in charge during the first contact.
4. Follow-up the initial visit with a timely phone call.
5. When you go out soliciting funds for your organization you are representing Quincy University and all of the organizations that will follow you in asking for donations.
6. Many businesses already give a lot of money to the University and may turn you down.
7. Some donations may be considered tax deductible. Each business should consult with their accountant for more information.

8. Do not promise receipts or tax exemption on behalf of the University in exchange for a donation.
9. The University cannot send a receipt or provide tax exemption to groups using off-campus bank accounts to deposit cash donations.
10. If the business asks for a gift-in-kind receipt, please contact our office.

## Regulations

Quincy University reserves the right to restrict all fundraising activities to reasonable times, places, and manners. All Quincy University student handbook rules and regulations apply, and the following activities are specifically prohibited:

1. Solicitation by credit card or telephone card companies, with the exception of those approved by the Office of University Advancement
2. Door-to-door fundraising on Quincy University owned, operated, or controlled property
3. Fundraising for any candidate for political office
4. Sale or distribution of items that violate University trademark rights or existing contracts

## Thank You Process

It is recommended that all student organizations send thank you notes to businesses or individuals who made a donation/contribution within two (2) weeks of your event. The University will not send a thank you to the business unless there is a gift receipt associated with the donation. If you need assistance in writing thank you notes, please contact the Office of University Advancement.

Good Samaritan/Amnesty Policy

Gramm-Leach-Bliley Act

In compliance with the Federal Trade Commission's Safeguards Rule and the Gramm-Leach-Bliley Act, Quincy University has enacted a comprehensive information security program.

## Graphics Design Policy

The Office of Community Relations must approve all graphics that Quincy University departments, clubs, and organizations plan to use for merchandise, promotional materials, etc. On campus the Office of Student Development can approve flyers. The Office of Community Relations must approve all other marketing materials. Graphics cannot be libelous or contain any material that is inconsistent with the mission and Student Account ability Process of Quincy University, including any references to alcohol, drugs, or sexual innuendos. The Office of Student Development reserves the right to make decisions regarding the approval of what graphics will be allowed. Secure approval of graphics design by bringing a copy of the design and the business from which the order will be placed to the Office of Student Development.

## Harassment

Harassment is defined as the act of systematic or continued unwanted attention by one party or group towards another and/or the act of intentionally creating a hostile educational or living environment. Harassment is prohibited. Allegations of harassment will be investigated and adjudicated through the Student Accountability Process outlined in this handbook.

## Hazing Policy

Quincy University prohibits conduct by any individual, organization or group affiliated with the college that is in violation of the Illinois Law on Hazing (see below), or any activity that threatens a person's rights or self-respect, disrupts community life, or encourages the violation of civil, state or federal law, or the QU Student Accountability Policies.

Individuals and groups who are alleged to be in violation of the hazing policy, will be subject to disciplinary action conducted through the student code of conduct process. For more information on "group conduct", see Judicial Procedures for Groups.

### *Illinois Compiled Statutes*

720 ILCS 120/5 - A person commits hazing who knowingly requires the performance of any act by a student or other person in a school, college,

university, or other educational institution of the State, for the purpose of induction or admission into any group, organization, or society associated or connected with that institution if:

- a. the act is not sanctioned or authorized by the educational institution; and
- b. the act results in bodily harm to any person.

720 ILCS 120/10 -Hazing is a Class A misdemeanor (up to 1 year in jail and/or up to a \$2,500 fine), except hazing that results in death or great bodily harm is a Class 4 felony (not less than 1 nor more than 3 years in jail and/or up to a \$25,000 fine).

## Hover Board Policy

The use of hover boards or self-balancing scooters on campus property is prohibited. Hover boards may not be operated, carried, charged, or stored inside any campus building or residence hall.

## Inclement Weather

Only the President of the University or the president's designee may close the institution due to inclement weather. Public notification of such a closing will be announced on local radio and/or television, posted on the University website and communicated as appropriate via the University emergency communication system.

## Immunization Policy

On August 5, 2016, the Illinois Department of Public Health changed the college immunization code (77 Ill. Adm. Code 694) requirement for all students admitted on or after August 21, 2016 to:

- Two measles, mumps and rubella (MMR) vaccines after the first birthday. The second vaccine must be given at least 28 days after the first.
- Three vaccines that contain tetanus/diphtheria/pertussis (Dtap).
- One dose MUST be Tdap. The last dose of vaccine must have been administered within 10 years of the student's enrollment date.

- One meningococcal conjugate vaccine – Menactra or Menveo

REQUIRED for all students 21 years of age and younger. A 2nd vaccine must be given if the 1st vaccine was given before age 16.

Students must comply with the new requirements by October to prevent a registration block for spring semester.

## Involuntary Withdrawal

The involuntary withdrawal policy serves to outline the conditions by which Quincy University may intervene and withdraw a student from classes based on a student's health and/or behavior.

The Vice President of Student Development or designee reserves the right to take appropriate action to protect the health, safety, and well-being of an individual and/or the University community in cases where a student exhibits the behaviors described below:

1. Student demonstrates an inability to satisfy personal needs including but not limited to nourishment, shelter, personal safety, well-being, and activities of daily living such that there is reasonable possibility that their physical and mental health is in jeopardy and/or poses jeopardy to others in the University community.
2. Student demonstrates behavior consistent with mental health distress and refuses to seek medical, therapeutic, and/or psychiatric care to the extent to which the Vice President of Student Development or designee is satisfied with the student's condition and ability to function within the University community.
3. Student demonstrates behavior or threatens behavior that poses immediate risk or danger to themselves or others.

Should a student exhibit any of these behaviors the Vice President of Student Development or designee will meet with the student. During this meeting the student will be made aware of the concerns and provided a detailed action plan, based on consultation with appropriate faculty, staff and administrators, for addressing the concerns.



The student will be provided a reasonable amount of time to implement the action plan to the satisfaction of the Vice President of Student Development or designee. Should the student not complete the action plan in the time specified, they will be referred to the University Student Accountability Process Board and charged with an alleged violation of the Failure to Comply policy. The student is then held accountable through the Student Accountability Process. All Student Accountability Processes and procedures will then apply.

The Vice President of Student Development or designee may place the student on Temporary Suspension until a University Student Accountability Process Board Hearing when a student exhibits behavior that may be an immediate threat to the student or the University community.

## **Leave of Absence**

Students who need to take a leave of absence for medical, financial or personal reasons will need to seek approval with appropriate supporting documentation from the Vice President of Student Development / Dean of Students. Such a leave may be granted for either one or two regular semesters if the applicant was in good standing at the end of the last term completed. Students who do not return at semester requested will either need to provide additional documentation or will be officially withdrawn from the university.

## **Meal Plan**

The resident meal plan for all students living in Padua, Willer, Helein, Garner, and Friars halls is called the Main Dining Room (MDR) All Access Plan. Student residents of campus houses, Woods apartments (Woods), and the Student Living Center (SLC) receive the Bronze Plan, and they have the option to upgrade to the Gold Plan or the MDR All Access Plan. Commuter students have the option to choose from any available student meal plan. All students have the option of adding additional flex dollars to their student account at any time. For detailed information regarding meal plans visit [www.dineoncampus.com/quincy](http://www.dineoncampus.com/quincy).

Commuter students and residents of campus houses, Woods, and the SLC are able to make changes to their meal plan until the end of the add/drop period each semester, but prorated fees and adjustments may apply. No refunds will be given on meal plan cancellations or changes after the

add/drop period. All meal plans expire at the end of the school year and no credits or refunds are issued. Unused Gold and Bronze Plan meals expire at the end of each semester. Students will not be permitted to take a lesser meal plan than what is required based on their housing situation.

Unused flex dollars carry over from the fall semester to the spring semester but expire at the end of the school year. Additional flex dollars can be added at the financial services office at any time. Students with special dietary needs should contact Dining Services as soon as possible.

## **Official Notices**

Notices are considered official if they have been posted on an official bulletin board or sent via Quincy University email. Such announcements will be considered effective immediately, unless otherwise stipulated. Students are advised to watch official bulletin boards for notices, which pertain to their academic programs, residence hall meetings as well as for announcements about organizations and group meetings.

## **Offenses against Others**

Any acts or course of actions aimed at specific persons in order to disgrace, threaten, intimidate, restrain or injure them, whether the harassment be physical, verbal, or visual; whatever the medium used (electronic, telephonic, mail, etc.); and whatever the reason for the harassment (such as racial identity, religious affiliation, sexual orientation, or gender identity) is against university policy and may result in a hearing with the University Accountability Board, with the possibility of suspension or expulsion.

## **Parental Notification**

Quincy University is an academic community dedicated to intellectual and personal growth. In keeping with this mission, students are encouraged to take responsibility for their own physical, emotional, and academic well-being. However, we also recognize that parents/ guardians often play a crucial role in students' ongoing development and education. Thus, it is our hope that parents/guardians will partner with us in responding to significant issues that may arise. The University grants to the Vice President of Student Development or Vice President of

Enrollment Management or a designee the authority to determine when, and by what means, to contact parents/guardians when students are claimed as a financial dependent on the tax forms of a parent/guardian.

Quincy University is aware that students have rights and expectations in terms of their privacy, as explained under the Family Educational Rights and Privacy Act (FERPA). FERPA, however, permits QU officials to disclose, without student consent, educational records which may include personally identifiable information, in order to protect the health or safety of students or other individuals. At such times, records and information may be released to appropriate parties such as law enforcement officials, public health officials, and trained medical personnel. In addition, the Department of Education interprets FERPA to permit institutions to disclose information from education records to parents/ guardians if a health or safety emergency involves their student FERPA (34 CFR 99.31).

In accordance with the Family Educational Rights and Privacy Act (FERPA), the University may notify parents/guardians in the following circumstances:

- Serious concern for the health and safety of a student
- Serious or repeated offenses related to alcohol or drug use
- Serious risk of losing financial aid
- Removal from residential housing
- Missing persons concerns
- Certain student conduct violations when warranted under policies in the Code of Student Conduct

This sharing of information is also permissible among University employees where there is a “need to know,” such as sharing updates between departments with whom the student interacts.

More information regarding FERPA can be obtained from:

Family Policy Compliance Office -  
U.S. Department of Education  
400 Maryland Ave. S.W., Washington, DC 20202-  
5920 - (202) 260-3887

<http://www.ed.gov/policy/gen/guid/fpco/>

## Parking Policy

All student vehicles that are parked on campus or on streets immediately adjacent to campus are required to have a University-issued parking permit. Students may park in any lot unless signage indicates differently. Students may not park on city streets where signage prohibits University student parking. Students who do not pay ticket fines may lose parking privileges on campus. For University parking lots with the relevant posting, vehicles that do not have a University-issued parking permit.

## Personal Property Responsibility

The university encourages all students to obtain insurance for their belongings, either through their parent’s insurance or by securing a renter’s insurance policy. Should students have questions on how to obtain insurance, please contact the Vice President of Student Development (or the Vice President’s designee). The university is not responsible for any lost or stolen personal belongings or damage because of negligence on the part of the student.

## Posting Policy

All postings on the Quincy University campuses must be approved and stamped. Postings must contain all information that is relevant to the event. Postings cannot be libelous or contain any material that is inconsistent with the mission and community standards of Quincy University, including any references to alcohol, drugs, or sexual innuendos. The Office of Student Development reserves the right to make decisions regarding the approval of what is to be posted. All registered student groups and university departments must have their postings approved by the Office of Student Development. Once approved, all copies of the posting must be stamped by either the Office of Student Development in the SSC or the Office of Advancement in Francis Hall.

### **Posting Requirements**

All postings must:

- Pertain to and/or be sponsored by a registered Quincy University student club, organization, or department

- Must follow Graphic Design Policy (down below)
- Have a blank 2" x 2" space in the bottom right/left corner reserved for the approval stamp
- Include a Quincy University contact name with the following: a phone number, email address, web address
- Be consistent with the mission statement of the university
- Not have any reference to alcohol, drugs, or sexual innuendos
- In special circumstances, deemed so by the VP of Student Development, posting requirements may be adjusted

### ***Posting Approval Procedure***

- Please attach the original copy of your posting to an email directed to the Administrative Assistant of Student Development to be approved before making copies.
- Once the postings are approved and the copies have been made, return to the Office of Student Development in the Student Success Center or the Office of Advancement in Francis Hall with all copies
- Each copy of the posting will be stamped up to a maximum of 50 postings per event or informational episode. Photocopied stamps are not acceptable proof of approval and violate the Posting Policy.
- Please see the "Posting Locations" section to determine the appropriate numbers of postings per event or informational episode
- Postings may be stamped for up to 30 days or up to two days after date of event
- A copy of all approved postings will be kept by the Office of Student Development

- The host group or department is responsible for removing all postings on the stamped removal date.
- Postings that are not removed are considered a posting policy violation

### ***Posting Policy Violations***

The Office of Student Development monitors postings on campus, however any faculty or staff member that sees that a posting does not adhere to any part of the Posting Policy should remove it and report it to the Office of Student Development for adjudication.

**First Violation:** Student organizations and university departments that violate the Posting Policy will be given one written warning to adhere to the policy.

**Second Violation:** A registered student organization's privilege of posting on campus will be suspended for four weeks or the next scheduled event of the academic year. No postings will be approved for the group during that time period.

**Third Violation:** A registered student organization's privilege of reserving space on campus will be suspended for four weeks or the next scheduled event during the academic year. No postings will be approved for the group during that time period.

### ***Posting Locations***

Campus bulletin boards are provided for publicizing and promoting student organizations, campus activities, departmental postings, and approved fundraisers. Postings are not permitted on any glass, brick or painted surfaces; bathrooms; window sills; sidewalks; stairs; railings; vehicles; or Emergency Call Boxes. Writing on tape on the ground is not permitted. Chalking on sidewalks and window painting is permitted under the guidelines found in this policy and with the approval of the clubs and organizations advisor. Bulletin Boards provide an important source of information. Policies for display of materials on the bulletin boards are governed by the Office of Student Development. The Dean of Students or his/her designee must approve all bulletin board uses in the Residence Halls, Student Union, Student Success Center and the Health and Fitness Center. Students are not permitted to put any

materials on any bulletin boards in any building without permission from the Office of Student Development. Unauthorized posting of any kind is prohibited and materials will be removed.

**Brenner Library Bulletin Boards** (3 maximum postings per event)

**Francis Hall Bulletin Boards** (15 maximum postings per event)

- At the elevator entrance of each floor (4)
- Outside the business office on the west end of the lower level (2)
- At the entrance of the east end of the building.

**North Campus Bulletin Boards**

- at the main entrance of A Building (1)
- outside the auditorium on the 1st floor (1)
- outside classroom A101 on the 1st floor (1)
- Residence Halls Bulletin Boards (6 maximum postings per event per building for 36 total):
- place postings in Resident Director mailboxes located in the Office of Student Development in the Student Success Center

**Student Union Bulletin Boards** (5 maximum postings per event):

- between the bookstore and the ladies restroom on the lower level (1)
- at the base of the north end stairs on the lower level (1)
- outside the entrance of the cafeteria

**Student Success Center** (3 maximum postings per event)

## Sidewalk Chalking

- Chalking of sidewalks is permitted in areas where normal precipitation will wash away the chalk over time with approval from the QU campus clubs and organizations advisor
- Chalking on walls, doors, or sides of buildings is strictly prohibited
- Organizations and departments must submit a copy of their proposed sidewalk chalk sketch to gain approval prior to chalking
- Any organizations or departments violating the chalking rules will be asked to wash the chalk from the unauthorized area(s)
- Any chalking deemed inappropriate or inconsistent with the mission of the university must be removed by the organization or department at the request of the Office of Student Development, and may result in disciplinary action being taken against the responsible organization or individuals.

## Window Painting

Window painting is permitted on certain windows with permission from the Office of Student Development.

- Window frame must be protected before painting takes place
- The student group is responsible for removing all paintings within 24 hours of the end of the event.
- Paintings that are not removed are considered a posting policy violation
- Any organizations violating the painting rules will be asked to wash the paint from the unauthorized area(s) immediately

- Any painting deemed inappropriate or inconsistent with the mission of the university must be removed by the organization at the request of the Office of Student Development, and may result in disciplinary action being taken against the responsible organization or individuals.

## Publicity Posting Policy Non-Quincy University Community

In addition to the Quincy University Posting Policy, the following guidelines must be adhered to when posting at Quincy University:

Only offers specific to QU community will be stamped (i.e. discounts w/ QU ID, raffle or drawing entries for being QU students, etc.).

Only ONE flyer/sign/poster is allowed on each bulletin board. Items to be placed on bulletin boards may not be larger than 8½" x 11" in order that all items may be accommodated.

It is the responsibility of the sponsoring organization to remove their posting within 24 hours following the advertised event.

Items advertising alcohol, alcohol specials, or that promotes alcohol abuse will not be approved.

All bulletin boards on campus will be periodically checked by the Office of Student Development. Unauthorized information will be removed. Businesses or organizations violating the established procedure will not be allowed to post on campus.

## Refunds

Any student withdrawing from the University must contact the Office of Student Development. Details regarding tuition refunds and applicable policies can be found in the Academic Catalog at <http://www.quincy.edu/academics/> academic-catalog.

### Housing Refunds

A student must contact the Office of Student Development to officially cancel on-campus housing. Housing charges will be refunded based on a percentage of the entire amount owed to the University for the academic semester based on the student's recorded move-out date:

Cancellation during the add/drop period of each semester- 100% refund  
Cancellation past the add/drop period of each semester-No Refund

### Meal Plan Refunds

Meal plans may only be changed during the first week of each semester and no refunds are given on meal plan cancellations after the first week of each semester.

## Registered Student Organizations

Registered Student Organizations have policies and procedures specific to the function on campus. Organization leaders and members are expected to abide by policies and procedures outlined in the Registered Student Organization Handbook.

## Residence Policy

All full-time undergraduate (non-Professional Studies) students who enter Quincy University for the first time are required to live on campus until they have attained senior standing (86 hours or more) unless they:

- a) are living locally (no more than 40 miles from campus, as determined by the University) with immediate family who are permanent residents or
- b) are full-time BRCN students where tuition dollars are collected by BRCN; or
- c) are transfer students coming in with at least 60 credit hours or an associate's degree; or
- d) students who are married or have children living with them; or
- e) students who are 23 years or older or;
- f) have received permission from the Vice President of Student Development / Dean of Students to live off campus. Criteria for off-campus living must be met by the first day of classes for the semester in which the student wishes to live off campus.

The Vice President of Student Development will determine transfer student eligibility for meeting the criteria above by reviewing

- a) student's birthdate;

- b) student's high school graduation year, and/or;
- c) the year in which they first enrolled in an institution of higher education.

Students choosing to live off campus that do not meet the University's criteria for off campus living will not be in good standing with the University and therefore ineligible for institutional aid. This policy only impacts aid provided by Quincy University; not federal, state or private loans or scholarships.

All students are held to the residential policy and any student who signs a lease or buys a house before permission is given to move off campus will be responsible for half of the housing costs for the next school year.

### ***Moving Out of Residence Hall***

Students who fail to return to campus to move their belongings out of their room within 24 hours from their last final exam, and/or 24 hours from their graduation, or 24 hours after given permission to move off campus, or 24 hours from official withdraw or dismissal from the university and do not request a different timeline, could have their belongings packed and donated immediately. A fee will be assessed ranging from \$75-\$1000 based on number of items left and time and resources needed to pack, clean and donate the items.

### ***Storage***

The university will not provide storage for student belongings during any breaks for any reason.

### ***Guest Policy***

You are responsible for the actions of your guests, whether they are Quincy University students or not. A guest is defined as anyone without valid ID access or keys to that hall, floor, wing, and/or room. Every guest must be hosted by a resident, and the host is responsible for informing guests about applicable University and residence hall policies.

### ***Identification***

All guests must present proper photo identification when requested by University staff. Failure or inability to do so will result in the guest being removed from the building and/or campus community.

### ***Escort Policy***

All people who do not reside within the community must be escorted by a community member at all times.

### ***Overnight Guests***

All guests staying overnight must have approval of all residents in the room. Guests may not stay more than three consecutive nights. Guests may not sleep in any public space within the hall. In Helein, Friars, Padua and Garner where the living space is designated by gender, the opposite gender cannot use the bathroom or shower in that communal space.

### ***Restricted Guest Policy***

When ordered by the director of housing, in collaboration with the director of security, University Housing may enforce a restricted visitation period when it is deemed that non-University guests are prohibited in University Housing. Such a period could be but not limited to a response to a critical incident for campus safety.

### ***Cohabitation***

The University does not allow cohabitation and will take disciplinary action against infractions that are reported or come to the attention of housing staff. Cohabitation is defined as a non-resident using a room as if he/she were a resident of that room, which includes: the presence of clothing and/or personal belongings in the room, studying in the room on a regular basis, being in the room when the host/hostess is absent, and using the bathroom facilities as if he/she lived in the hall/room. Students of the opposite sex are not assigned and may not arrange to live together in University housing. After initial handling of a conduct matter regarding cohabitation subsequent complaints will result in removal of campus housing privileges for the remainder of the school year and no refund will be provided. Students may risk losing campus housing privileges for the entirety of their time as a student.



## **Residential Occupancy Limits**

For the safety and security of all residential students, residents and their guests must adhere to occupancy limits in every residential space. Please refer to the chart, the occupancy limits include those who are living in the space as well.

## **Housing Agreement**

The QU Student Housing Agreement is for the entire academic year. Should a student break the housing agreement and move off campus before the academic year is concluded, a student may be assessed a \$1000 fine. Should a student not sign their housing agreement, they may not be provided housing placement.

## **Solicitation**

The University prohibits solicitation of its personnel or distribution of literature by outsiders. Door-to-door soliciting by outside groups is prohibited in the residence halls. Door-to-door soliciting in the residence halls by student groups is prohibited without the prior, written approval of the Director of Campus Programming & Residence Life.

## **Tobacco/Smoking Policy**

In compliance with the Illinois Clean Indoor Air Act of 1990 (as amended in 2006), smoking is not permitted on any campus property, inside or outside. Smoking of any kind (hookahs, cigarettes, and vape/vapor/vaporizer pens) and the use of tobacco products (e.g. chew, snuff, etc.) are not allowed in any area of the campus. This includes study rooms, restrooms, hallways, stairways, lobbies, elevators, lounges, student rooms, outside of buildings, fields, or any other University- owned or controlled property.

## **Violence**

Violence of any kind perpetrated on another person including rape, including various sorts of physical assaults or interference of other's legitimate movement could result in immediate temporary suspension from the university until the student has a meeting with the University Accountability Board. If a student is temporarily suspended from campus it is not the responsibility of the university to find a place for the student to live or pay for a space for the

student to live or pay for food for the student or refund any portion of the student housing costs. Temporary suspension decision is only made by the President or the Vice President of Student Development or his/her designee with the totality of the circumstances considered

<b>RESIDENTIAL BUILDINGS</b>	<b>MAX. TOTAL OCCUPANCY</b>
Friar's Hall	4
Garner Hall	6
Helein Hall	6
Padua Hall	4
Student Living Center	9
Willer Hall	10
Woods Hall	6
All Houses Used for Students	10

# Quincy University's Title IX Policy on Sexual Misconduct and Sex-Based Discrimination

USED BY A LICENSEE:

ATIXA 2020 ONE POLICY, TWO PROCEDURES MODEL USE AND ADAPTATION OF THIS MODEL WITH CITATION TO ATIXA IS PERMITTED THROUGH A LIMITED LICENSE  
TO: Quincy University 1800 COLLEGE AVE. QUINCY, IL 62305  
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# **POLICY: Equal Opportunity, Harassment, and Nondiscrimination**

## **1. Glossary**

**Advisor** means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.

**Complaint (formal)** means a document filed/ signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that Quincy University investigate the allegation.

**Confidential Resource** means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).

**Day** means a business day when Quincy University is in normal operation.

**Education program or activity** means locations, events, or circumstances where Quincy University exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by Quincy University.

**Final Determination** means a conclusion by preponderance of evidence that the alleged conduct occurred and whether it did or did not violate policy.

**Finding** means a conclusion by preponderance of evidence that the conduct did or did not occur as alleged.

**Formal Grievance Process** means “Process A,” a method of formal resolution designated by Quincy University to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.

**Grievance Process Pool** includes any investigators, hearing officers, appeal officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).

**Hearing Decision-maker** refers to those who have decision-making and sanctioning authority within Quincy University’s Formal Grievance process.

**Investigator** means the person or persons charged by Quincy University with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.

**Mandated Reporter** means an employee of Quincy University who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.

**Notice** means that an employee, student, or third-party informs the Title IX coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.

**Official with Authority (OWA)** means an employee of Quincy University explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of Quincy University.

**Parties** include the Complainant(s) and Respondent(s), collectively.

**Process A** means the Formal Grievance Process detailed below and defined above.

**Process B** means the informal alternative resolution procedures detailed in Appendix 3.

**Quincy University** means a non-profit university chartered in the State of Illinois and offering post- secondary education programs that is a recipient of federal funding.

**Remedies** are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to Quincy University’s educational programs.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.

**Resolution** means the result of an informal or Formal Grievance Process.

**Sanction** means a consequence imposed by Quincy University on a Respondent who is found to have violated this policy.

**Sexual Harassment** is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence. See Section 17.b.,for greater detail.

**Title IX Coordinator** is at least one official designated by Quincy University to ensure compliance with Title IX and Quincy University’s Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.

**Title IX Team** refers to the Title IX Coordinator, any deputy coordinator(s) appointed by Quincy University, and any member of the Grievance Process Pool.

## **2. Rationale for Policy**

Quincy University is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, Quincy University has developed internal

policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. Quincy University values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

## **3. Applicable Scope**

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from activities, such as admission, athletics, or employment. Other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged violation of this anti-discrimination policy is reported, the allegations are subject to resolution using Quincy University’s “Process A” or “Process B,” as determined by the Title IX Coordinator, and as detailed below.

When the Respondent is a member of Quincy University community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of Quincy University community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

## **4. Title IX Coordinator**

A full-time, non-instructional staff employee currently serves as the Title IX Coordinator and oversees implementation of Quincy University’s Title IX Policy. The Vice President for Business and Finance oversees Quincy University’s affirmative action and equal opportunity plan, disability compliance, and Quincy University’s policy on equal opportunity, harassment, & nondiscrimination. The Title IX Coordinator has the primary

responsibility for coordinating Quincy University's efforts related to the intake, investigation, resolution and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

### **5. Independence and Conflict-of-Interest**

The Title IX Coordinator manages the Title IX Team and acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact the President of the University (Francis Hall Room 208, Quincy University, 1800 College Ave., Quincy, IL 62301). Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to the President of the University. Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator.

### **6. Administrative Contact Information**

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be made internally to:

Kristi Shelton  
Title IX Coordinator Location/Address: Francis Hall Room 105  
Email: [sheltkr@quincy.edu](mailto:sheltkr@quincy.edu)

Sam Lathrop  
Title IX Investigator Location: Friars Hall  
Email: [lathrsa@quincy.edu](mailto:lathrsa@quincy.edu)

Quincy University has also classified all employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing harassment, discrimination, and/or retaliation. The section

below on Mandated Reporting details which employees have this responsibility and their duties, accordingly.

Inquiries may be made externally to:  
Office for Civil Rights (OCR)  
U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

### **Chicago Office**

U.S. Department of Education  
John C. Kluczynski Federal Building  
230 S. Dearborn Street, 37th Floor  
Chicago, IL 60604  
Telephone: (312) 730-1560  
Facsimile: (312) 730-1576  
Email: OCR.Chicago@ed.gov

For complaints involving employees: Please contact the Chicago District Office of the Equal Employment Opportunity Commission (EEOC):

JCK Federal Building  
230 S Dearborn Street  
Chicago, IL 60604  
Telephone: (312) 872-9744

### **7. Notice/Complaints of Discrimination, Harassment, and/or Retaliation**

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- 1) File a complaint with, or give verbal notice to, the Title IX Coordinator, via email at [rabeka@quincy.edu](mailto:rabeka@quincy.edu). Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator or any other official listed.
- 2) Report online, using the reporting form posted at <https://www.quincy.edu/title-ix/>. Anonymous reports are accepted but can give rise to a need to investigate. Quincy University tries to provide supportive measures to all

Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as Quincy University respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows Quincy University to discuss and/or provide supportive measures.

A Formal Complaint means a document filed/ signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that Quincy University investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by Quincy University) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

## **8. Supportive Measures**

Quincy University will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to Quincy University’s education program or activity, including measures designed to protect the safety of all parties or Quincy University’s educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, Quincy University will inform the Complainant, in writing, that they may file a formal complaint with Quincy University

either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

Quincy University will maintain the privacy of the supportive measures, provided that privacy does not impair Quincy University’s ability to provide the supportive measures. Quincy University will act to ensure as minimal an academic impact on the parties as possible. Quincy University will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence

- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

## **9. Emergency Removal**

Quincy University can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the Behavioral Intervention Team, also known as BIT using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student, [employee], will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested within 8 hours, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

Quincy University will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, [temporarily reassigning an employee], restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intra-mural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

## **10. Promptness**

All allegations are acted upon promptly by Quincy University once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but Quincy University will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in Quincy University procedures will be delayed, Quincy University will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

## **11. Privacy**

Every effort is made by Quincy University to preserve the privacy of reports. Quincy University will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation



any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures

Quincy University reserves the right to designate which Quincy University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to the Office of Student Development and the Office of Mission and Ministry. Information will be shared as necessary with Investigators, Hearing Panel members, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

Quincy University may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so. Confidentiality and mandated reporting are addressed more specifically below.

## **12. Jurisdiction of Quincy University**

This policy applies to the education program and activities of Quincy University, to conduct that takes place on the campus or on property owned or controlled by QU, at Quincy University-sponsored events, or in buildings owned or controlled by Quincy University's recognized student organizations. The Respondent must be a member of Quincy University's community in order for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to Quincy University's educational program. QU may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial Quincy University interest.

Regardless of where the conduct occurred, Quincy University will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial Quincy University interest includes:

- a.) Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- b) Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- c) Any situation that is detrimental to the educational interests or mission of Quincy University.

If the Respondent is unknown or is not a member of Quincy University community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of Quincy University's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator.

In addition, Quincy University may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from Quincy University property and/or events.

All vendors serving Quincy University through third-party contracts are subject to the policies and procedures of their employers or to these policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX

Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to advocate for a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to Quincy University where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

### **13. Time Limits on Reporting**

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to Quincy University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by a significant time delay, Quincy University will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

### **14. Online Harassment and Misconduct**

The policies of Quincy University are written and interpreted broadly to include online and cyber Manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on Quincy University's education program and activities or use Quincy University networks, technology, or equipment.

While Quincy University may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to Quincy University, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via Snaps or other social media, unwelcome sexting, revenge porn, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of Quincy University community.

### **15. Policy on Nondiscrimination**

Quincy University is a private, Franciscan and Catholic Liberal Arts University. The Franciscan tradition stands for respect for each individual and concern for all.

QU is committed to providing equal opportunity to all qualified individuals in its employment and personnel practices and its admission and treatment of students which will assure that there will be no discrimination against any person based on race, religion, age, ethnic or national origin, gender, disability, veteran status, marital status, sexual orientation or political persuasion. Decisions on employment and admission are made on the basis of the qualifications of the individual for the position being filled. Decisions on promotion are likewise made on the basis of the qualifications of the individual as they relate to the requirements of the position for which the individual is being considered. To maintain its Franciscan character, the University does, however, retain the right to give preference to qualified Franciscans in all positions of employment.

All personnel policies, including those of fringe benefits, compensation and advancement, transfers, and the like, are administered without regard to race, religion, age, ethnic or national origin, gender, disability, veterans status, marital status, sexual orientation, or political persuasion. These policies apply to all employees in all departments of the University and to all University students.

When brought to the attention of Quincy University, any such discrimination will be promptly and fairly addressed and remedied by Quincy University according to the grievance processes and/or policies located in the relevant handbooks published at Quincy University's Q Drive.

## **16. Policy on Disability Discrimination and Accommodation**

Quincy University is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by Quincy University, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

The Vice President of Student Development has been designated as Quincy University's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability for students and the Vice President for Business and Finance oversees these matters as they relate to employees.

Grievances related to disability status and/or accommodations will be addressed using the procedures listed in the Quincy University student handbook and below. For details relating to disability accommodations in Quincy University's resolution process.

### **a. Students with Disabilities**

Quincy University is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs, facilities, and activities of Quincy University.

All accommodations are made on an individualized basis. A student requesting

any accommodation should first contact the Vice President of Student Development, who coordinates services for students with disabilities.

The Vice President of Student Development reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's particular needs and academic program(s).

### **b. Employees with Disabilities**

Pursuant to the ADA, Quincy University will provide reasonable accommodation(s) to all qualified employees with known disabilities when their disability affects the performance of their essential job functions, except when doing so would be unduly disruptive or would result in undue hardship to Quincy University.

An employee with a disability is responsible for submitting a request for an accommodation to the Vice President for Business and Finance and providing necessary documentation. The ADA/504 Coordinator will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

## **17. Policy on Discriminatory Harassment**

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. Quincy University's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under Quincy University policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of Quincy University policy, though supportive measures will be offered to those impacted.

## **a. Discriminatory Harassment**

Discriminatory harassment constitutes a form of discrimination that is prohibited by Quincy University policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law.

Quincy University does not tolerate discriminatory harassment of any employee, student, visitor, or guest. Quincy University will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a "hostile environment."

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive and objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, Quincy University may also impose sanctions on the Respondent through application of the appropriate grievance process below.

Quincy University reserves the right to address offensive conduct and/or harassment that

- 1) does not rise to the level of creating a hostile environment, or
- 2) that is of a generic nature and not based on a protected status.

Addressing such conduct will not result in the imposition of discipline under Quincy University policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternate Resolution, and/or other informal resolution mechanisms.

For assistance with Alternate Resolution and other informal resolution techniques and approaches, employees should contact the Vice President of Business and Finance or his/her designee and students should contact the Vice President of Student Development or his/her designee.

## **b. Sexual Harassment**

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the state of Illinois regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

Quincy University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well.

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 that satisfies one or more of the following:

- 1) Quid Pro Quo:
  - a. an employee of Quincy University,
  - b. conditions the provision of an aid, benefit, or service of QU,
  - c. on an individual's participation in unwelcome sexual conduct; and/or
- 2) Sexual Harassment:
  - a. unwelcome conduct,
  - b. determined by a reasonable person,
  - c. to be so severe, and
  - d. pervasive, and,
  - e. objectively offensive,
  - f. that it effectively denies a person equal access to Quincy University's education programs or activities.
- 3) Sexual assault, defined as:
  - a. Sex Offenses, Forcible:
    - i) Any sexual act directed against another person,
    - ii) without the consent of the Complainant,
    - iii) including instances in which the Complainant is incapable of giving consent.

- b. Forcible Rape:
  - i) Penetration,
  - ii) no matter how slight,
  - iii) of the vagina or anus with any body part or object, or
  - iv) oral penetration by a sex organ of another person, without the consent of the Complainant.
- c. Forcible Sodomy:
  - i) Oral or anal sexual intercourse with another person,
  - ii) forcibly,
  - iii) and/or against that person's will (non-consensually), or
  - iv) 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.
- d. Sexual Assault with an Object:
  - i) The use of an object or instrument to penetrate,
  - ii) however slightly,
  - iii) 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.
- e. Forcible Fondling:
  - i) The touching of the private body parts of another person (buttocks, groin, breasts),
  - ii) for the purpose of sexual gratification,
  - iii) forcibly,
  - iv) 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.

- f. Sex Offenses, Non-forcible:
  - i) Incest:
    - a) Non-forcible sexual intercourse, between persons who are related to each other, within the degrees wherein marriage is prohibited by Illinois law.
  - ii) Statutory Rape:
    - a) Non-forcible sexual intercourse, with a person who is under the statutory age of consent of 17 in the state of Illinois.
- 4) Dating Violence, defined as:
  - a) violence,
  - b) on the basis of sex,
  - c) committed by a person,
  - d) who is in or has been in a social relationship of a romantic or intimate nature with the Complainant?
    - 1) 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—
    - 2) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - 3) Dating violence does not include acts covered under the definition of domestic violence.

- 5) Domestic Violence, defined as:
  - a) violence,
  - b) on the basis of sex,
  - c) 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 or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Illinois, 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 Illinois.

\*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.

- 6) Stalking, defined as:
- a) engaging in a course of conduct,
  - b) on the basis of sex,
  - c) directed at a specific person, that
    - i) would cause a reasonable person to fear for the person's safety, or
    - ii) the safety of others; or
    - iii) Suffer substantial emotional distress.

For the purposes of this definition—

i) 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.

ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

#### **Consensual Relations 1.4**

Quincy University is committed to maintaining learning and work environments as free as possible from conflicts of interest, exploitation and favoritism, or their perception.

When two employees, or an employee and a student, engage in a consensual sexual or romantic relationship where supervisory or evaluative authority exists, there is created an actual or apparent conflict of interest as well as opportunity for exploitation, abuse of power, favoritism or bias. In this manner, those relationships may impair the trust and integrity of the teaching, coaching, supervisory or

evaluative relationship and are thus prohibited. (In the event that a teacher/student conflict cannot be avoided, enrolled spouses may petition the Vice president for Academic Affairs for an exemption.)

In addition, Quincy University strongly discourages romantic dating or sexual relationships between employees and students in which no supervisory or evaluative authority exists. Such relationships are not only susceptible to future conflicts of interest, but also present the appearance of impropriety and may easily be characterized as non-consensual and lead to sexual harassment charges.

Quincy University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion / termination, for any offense under this policy.

#### **c. Force, Coercion, Consent, and Incapacitation**

As used in the offenses above, the following definitions and understandings apply:

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

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

**Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Consent is:**

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on Quincy 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. Consent in relationships must also be considered in context. When parties consent to BDSM or other forms of kink, non-consent may be

shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so Quincy University’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to any policy, custom, or practice that assumes nonkink relationships as a default.

**Incapacitation:** 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. “Should have known” is an objective, reasonable person standard, which assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

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.



#### d. Other Civil Rights Offenses

In addition to the forms of sexual harassment described above, which fall within the coverage of Title IX, Quincy University additionally prohibits the following offenses as forms of discrimination outside of Title IX when the act is based upon the Complainant's actual or perceived membership in a protected class.

- Sexual Exploitation, defined as taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct 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;
  - 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 Quincy 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 Quincy 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. Sanctions for the above-listed Civil Rights Offenses range from reprimand through expulsion/ termination.

### **18. Retaliation**

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

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

It is prohibited for Quincy University or any member of Quincy University's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

### **19. Mandated Reporting**

All Quincy University employees (faculty, staff, administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at Quincy University for a Complainant or third-party (including parents/guardians when appropriate):

#### **a. Confidential Resources**

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- On-campus licensed professional counselors and staff
- On-campus health service providers and staff
- On-campus members of the clergy/chaplains working within the scope of their licensure or ordination
- Off-campus (non-employees):
  - Licensed professional counselors and other medical providers
  - Local rape crisis counselors
  - Domestic violence resources
  - Local or state assistance agencies

- Clergy/Chaplains
- Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

Campus counselors and/or the Employee Assistance Program are available to help free of charge and may be consulted on an emergency basis during normal business hours.

Quincy University employees who are confidential will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

### **b. Anonymous Notice to Mandated Reporters**

At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves.

[If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information].

Anonymous notice will be investigated by Quincy University to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits Quincy University's ability to investigate, respond, and provide remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the Title IX Coordinator.

Mandated reporters may not be able to maintain requests for anonymity for Complainants who are minors, elderly, and/or disabled, depending on the applicable laws of the State of Illinois.

### **c. Mandated Reporters and Formal Notice/Complaints**

All employees of Quincy University (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from Quincy University.

Supportive measures may be offered as the result of such disclosures without formal Quincy University action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment or discrimination of which they become aware is a violation of Quincy University policy and can be subject to disciplinary action for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though Quincy University is technically not on notice

when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

## **20. When a Complainant Does Not Wish to Proceed**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether Quincy University proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator's decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires Quincy University to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. Quincy University may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and Quincy University's ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When Quincy University proceeds, the Complainant (or their Advisor) may have as

much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant.

Note that Quincy University's ability to remedy and respond to notice may be limited if the Complainant does not want Quincy University to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing Quincy University's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow Quincy University to honor that request, Quincy University will offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by Quincy University, and to have the incidents investigated and properly resolved through these procedures.

## **21. Federal Timely Warning Obligations**

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Quincy University must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

Quincy University will 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 potential danger.

## **22. False Allegations and Evidence**

Deliberately false and/or malicious accusations under this policy, as opposed to allegations that, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence after being directed to preserve such evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under Quincy University policy.

## **23. Amnesty for Complainants and Witnesses**

Quincy University community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to Quincy University officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of Quincy University community that Complainants choose to report misconduct to Quincy University officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, Quincy University maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty to a Respondent is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

**Students:** Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual misconduct to the [Campus Police]).

Quincy University maintains a policy of amnesty for students who offer help to others in need. While policy violations cannot be overlooked, Quincy University may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

**Employees:** Sometimes, employees are hesitant to report harassment or discrimination they have experienced for fear that they may get in trouble themselves. For example, an employee who has violated the consensual relationship policy and is then assaulted in the course of that relationship might hesitate to report the incident to Quincy University officials.

Quincy University may, at its discretion, offer employee Complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

## **24. Federal Statistical Reporting Obligations**

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- b) Hate crimes, which include any bias motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- c) VAWA-based crimes, which include sexual assault, domestic violence, dating violence, and stalking; and

- d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be passed along to campus law enforcement] regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include: student affairs/student conduct staff, [campus law enforcement/public safety/security], local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

## **INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE POLICY ON EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION (KNOWN AS PROCESS “A”)**

### **1. Overview**

Quincy University will act on any formal or informal notice/complaint of violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination (“the Policy”) that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures, known as “Process A.”

The procedures below apply only to qualifying allegations of sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) involving students, staff, administrator, or faculty members.

If other policies are invoked, such as policies on protected class harassment or discrimination above, please see Appendix 3 for a description of the procedures applicable to the resolution of such offenses, known as “Process B.”

Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the Title IX Coordinator.

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures elaborated in the student, faculty, and staff handbooks.

### **2. Notice/Complaint**

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, Quincy University initiates a prompt initial assessment to determine the next steps Quincy University needs to take.

Quincy University will initiate at least one of three responses:

- 1) Offering supportive measures because the Complainant does not want to proceed formally; and/or
- 2) An informal resolution; and/or
- 3) A Formal Grievance Process including an investigation and a hearing.

The investigation and grievance process will determine whether or not the Policy has been violated. If so, Quincy University will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

### **3. Initial Assessment**

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

- If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
  - If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.

- If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
  - If it does not, the Title IX Coordinator determines that Title IX does not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply [ , which resolution process is applicable, and will refer the matter accordingly. Please note that dismissing a complaint under Title IX is just procedural and does not limit Quincy University’s authority to address a complaint with an appropriate process and remedies.

**a. Violence Risk Assessment**

In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by a designated institutional office or committee as part of the initial assessment. A VRA can aid in critical and/or required determinations, including:

- If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
  - If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, [which informal mechanism may serve the situation best or is available] and may seek to determine if the Respondent is also willing to engage in informal resolution.
  - If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX:
    - If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
      - § an incident, and/or
      - § a pattern of alleged misconduct, and/or
      - § a culture/climate issue, based on the nature of the complaint.
- Emergency removal of a Respondent on the basis of immediate threat to physical health/ safety;
  - Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/ able Complainant;
  - Whether to put the investigation on the footing of incident and/or pattern and/or climate;
  - To help identify potential predatory conduct;
  - To help assess/identify grooming behaviors;
  - Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
  - Whether to permit a voluntary withdrawal by the Respondent;
  - Whether to impose transcript notation or communicate with a transfer Quincy University about a Respondent;
  - Assessment of appropriate sanctions / remedies (to be applied post-hearing); and/or
  - Whether a Clery Act Timely Warning /



Trespass order/Persona-non-grata is needed.

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other Behavioral Intervention Team (BIT)/CARE team members. A VRA authorized by the Title IX Coordinator should occur in collaboration with the BIT/CARE or threat assessment team. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

A VRA is not an evaluation for an involuntary behavioral health hospitalization, nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

More about Quincy University's process for VRA can be found below in Appendix 2.

#### **b. Dismissal (Mandatory and Discretionary)**

Quincy University must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Policy hereinabove, even if proved; and/or
2. The conduct did not occur in an educational program or activity controlled by Quincy University (including buildings or property controlled by recognized student organizations), and/or Quincy University does not have control of the Respondent; and/or

3. The conduct did not occur against a person in the United States; and/or
4. 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 Quincy University.

Quincy 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 Quincy University; or
3. Specific circumstances prevent Quincy University from gathering evidence sufficient to reach a Determination as to the formal complaint or allegations therein.

Upon any dismissal, Quincy University will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

#### **4. Counterclaims**

Quincy University is obligated to ensure that the grievance process is not abused for retaliatory purposes. Quincy University permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by the Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

## **5. Right to an Advisor**

The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s)

### **a. Who Can Serve as an Advisor**

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the Quincy University community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from Quincy University, the Advisor will be trained by Quincy University and be familiar with Quincy University's resolution process.

If the parties choose an Advisor from outside the pool of those identified by Quincy University, the Advisor may not have been trained by Quincy University and may not be familiar with Quincy University policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

### **b. Advisors in Hearings/Quincy University-Appointed Advisor**

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an Advisor for a hearing, Quincy University will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct cross-examination, Quincy University will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-maker(s) during the hearing.

### **c. Advisor's Role**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

Quincy University cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, Quincy University is not obligated to provide an attorney.

Where applicable under state law or Quincy University policy, Advisors or attorneys are permitted to fully represent their advisees or clients in resolution proceedings, including all meetings, interviews, and hearings. Although Quincy University prefers to hear from parties directly, in these cases, parties are entitled to have evidence provided by their chosen representatives.

#### **d. Pre-Interview Meetings**

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and Quincy University's policies and procedures.

#### **e. Advisor Violations of Quincy University Policy**

All Advisors are subject to the same Quincy University policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address Quincy University officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding, during cross-examination.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

#### **f. Sharing Information with the Advisor**

Quincy University expects that the parties may wish to have Quincy University share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

Quincy University also provides a consent form that authorizes Quincy University to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before Quincy University is able to share records with an Advisor.

If a party requests that all communication be made through their attorney Advisor, Quincy University will not comply with that request.

#### **g. Privacy of Records Shared with Advisor**

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by Quincy University. Quincy University may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by Quincy University's privacy expectations.

#### **h. Expectations of an Advisor**

Quincy University generally expects an Advisor to adjust their schedule to allow them to attend Quincy University meetings when planned but may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Quincy University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

#### **i. Expectations of the Parties with Respect to Advisors**

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

#### **j. Assistance in Securing an Advisor**

Quincy University may be able to assist in identifying an Advisor. Please contact the Title IX Coordinator for assistance.

### **6. Resolution Processes**

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with Quincy University policy. While there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose. Quincy University encourages parties to discuss this with their Advisors before doing so.

#### **a. Informal Resolution**

Informal Resolution can include three different approaches:

- When the parties agree to resolve the matter through an alternate resolution mechanism;
- When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process; or
- When the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.

To initiate Informal Resolution, a Complainant needs to submit a formal complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator to so indicate.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, Quincy University will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by Quincy University.

Quincy University will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

#### **b. Alternate Resolution**

Alternate Resolution is an informal process, including mediation or restorative practices, etc. by which a mutually agreed upon resolution of an allegation is reached. All parties must consent to the use of Alternate Resolution.

The Title IX Coordinator may look to the following factors to assess whether Alternate Resolution is appropriate, or which form of Alternate Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution;
- Likelihood of potential resolution, taking into account any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Cleared violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Alternate Resolution facilitator with this type of complaint;
- Complaint complexity;
- Emotional investment/intelligence of the parties;
- Rationality of the parties;

- Goals of the parties;
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution or Alternate Resolution are not appealable.

### **c. Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria in that section above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and Quincy University are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of Quincy University policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties can not agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

### **d. Negotiated Resolution**

The Title IX Coordinator, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and Quincy University. Negotiated Resolutions are not appealable.

## **7. Grievance Process Pool**

The Formal Grievance Process relies on a pool of administrators (“the Pool”) to carry out the process.

Members of the Pool are announced in an annual distribution of this policy to all students, parents/guardians of students, employees, prospective students, and prospective employees.

The list of Pool members and a description of the Pool will be provided by the Title IX Coordinator upon request of a member of the Quincy University community.

### **a. Pool Member Roles**

Members of the Pool are trained annually, and can serve in the following roles, at the direction of the Title IX Coordinator:

To provide appropriate intake of and initial guidance pertaining to complaints

- To act as an Advisor to the parties
- To serve in a facilitation role in informal resolution or Alternate Resolution if appropriately trained in appropriate resolution modalities (e.g., mediation, restorative practices)
- To perform or assist with initial assessment
- To investigate complaints
- To serve as a hearing facilitator (i.e., a process administrator serving no decision-making role)
- To serve as a Decision-maker regarding a complaint
- To serve as an Appeal Decision-maker

### **b. Pool Member Appointment**

The Title IX Coordinator, in consultation with the Vice President of Business and Finance, appoints the members of the Pool, whose members act with independence and

impartiality. While members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, Quincy University can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

### c. Pool Member Training

The Pool members receive annual training based on their respective roles. This training includes, but is not limited to:

- The scope of Quincy University's Discrimination and Harassment Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by Quincy University with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy

- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing
- Issues of relevance of questions and Evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

Specific training is also provided for Appeal Decision-makers, intake personnel, Advisors (who are Quincy University employees), and Chairs. All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool will be publicly posted.

### d. Pool Membership

The Pool includes appropriate representatives from Academic Affairs, Business Affairs, Student Development, Intercollegiate Athletics, and Enrollment Management.

Pool members are usually appointed to three-year terms. Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

## **8. Formal Grievance Process: Notice of Investigation and Allegations**

The Title IX Coordinator will provide written notice of the investigation and allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance 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 Quincy 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 Quincy 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 Quincy 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 link to Quincy University's VAWA Brochure,
- 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.

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 Quincy University records, or emailed to the parties' Quincy University-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

## **9. Resolution Timeline**

Quincy University will make a good faith effort to complete the resolution process within a sixty-to- ninety (60- 90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

## **10. Appointment of Investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the Investigation, usually within two (2) business days of determining that an investigation should proceed.

## **11. Ensuring Impartiality**

Any individual materially involved in the administration of the resolution process [including the Title IX Coordinator, Investigator(s), and Decision-maker(s)] may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. 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, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied.

Amendments and updates to the NOIA may be made as the investigation progresses and



If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with Vice President for Business and Finance.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence which supports that the Respondent engaged in a policy violation and evidence which supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

Quincy 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.

## **12. Investigation Timeline**

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Quincy University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

## **13. Delays in the Investigation Process and Interactions with Law Enforcement**

Quincy University may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

Quincy University will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. Quincy University will promptly resume its investigation and resolution process as soon as feasible. During such a delay,

Quincy University will implement supportive measures as deemed appropriate.

Quincy University action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

## **14. Steps in the Investigation Process**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Meet with the Complainant to finalize their interview/statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed

allegations

- Notice should inform parties of their right to have assistance of an Advisor, whocould be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respectiveinterviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving the otherparty, in advance when possible
- When participation of a party is expected, provide that party with written notice of the date,time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Complete the investigation promptly and without unreasonable deviation from the intendedtimeline
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (ifso desired by the parties) with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witnessinterviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
- The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engagein no policy

analysis, and render no recommendations as part of their report. Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which Quincy University does not intend to rely in reaching a determination, for a ten (10) business day review and commentperiod so that each party may meaningfully respond to the evidence.

- The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Re- spondent's Advisor).
- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- The Investigator(s) will incorporate relevant elements of the parties' written responses into thefinal investigation report, include any additional relevant evidence, make any necessary revisions,and finalize the report.
- The Investigator(s) should document all rationales for any changes made after the review and comment period
- The Investigator(s) shares the report with the Title IX Coordinator and/or legal counsel for their review and feedback.
- The Investigator will incorporate any relevant feedback, and the final report is then shared withall parties and their Advisors through se- cure electronic transmission or hard copy at least ten (10) business days prior to a hear- ing. The parties are also provided with a file of any directly related evidence that was not included in the report

## **15. Role and Participation of Witnesses in the Investigation**

Witnesses (as distinguished from the parties) who are employees of Quincy University are expected to cooperate with and participate in Quincy University's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

While in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. Quincy University will take appropriate steps to reasonably ensure the security/ privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

## **16. Recording of Interviews**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of and consent to audio and/or video recording.

## **17. Evidentiary Considerations in the Investigation**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) 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.

## **18. Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation –when the final investigation report is transmitted to the parties and the Decision-maker – unless all parties and the Decision-maker agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Decision-maker from the Pool depending on whether the Respondent is an employee or a student. Allegations involving student-employees will be directed to the appropriate Decision-maker depending on the context of the alleged misconduct.

## **19. Hearing Decision-maker Composition**

Quincy University will designate a single Decision-maker or a three-member panel from the Pool, at the discretion of the Title IX Coordinator.

The single Decision-maker will also Chair the hearing. With a panel, one of the three members will be appointed as Chair by the Title IX Coordinator.

The Decision-maker(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the resolution process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Decision-makers. Those who are serving as Advisors for any party may not serve as Decision-makers in that matter.

The Title IX Coordinator may not serve as a Decision-maker or Chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter

do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Chair or designee.

## **20. Evidentiary Considerations in the Hearing**

Any evidence that the 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) the character of the parties; or 3) 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, assuming Quincy University uses a progressive discipline system. This information is only considered at the sanction stage of the process.

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.

After post-hearing deliberation, the Decision-maker renders a determination based on [the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

## **21. Notice of Hearing**

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a

description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.

- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker(s). For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and Quincy University will appoint one. Each party must have an Advisor present. There are no exceptions.

- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision-maker will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Parties cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by Quincy University and remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

## **22. Alternative Hearing Participation Options**

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.

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.

## **23. Pre-Hearing Preparation**

The Chair, after any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and 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(s) 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 will delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the Decision-maker(s) at least five (5) business days in advance of the hearing. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than one day prior to the hearing. Decision-makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator 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.

## **24. Pre-Hearing 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 at the hearing for a reconsideration based on any new information or testimony offered at the hearing. The Chair must document and share their rationale for any exclusion or inclusion at this 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(s) 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 not be recorded.

## **25. Hearing Procedures**

At the hearing, the Decision-maker(s) has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the policy on Equal Opportunity,

Harassment, and Nondiscrimination.

Participants at the hearing will include the Chair, any additional panelists, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties (or three (3) organizational representatives when an organization is the Respondent), Advisors to the parties, any called witnesses, [the Title IX Coordinator] and anyone providing authorized accommodations or assistive services.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker(s) and the parties and will then be excused.

## **26. Joint Hearings**

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

## **27. The Order of the Hearing – Introductions and Explanation of Procedure**

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker(s) on the basis of bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Chair then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics,

curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX Coordinator. The hearing facilitator may attend to logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

## **28. Investigator Presents the Final Investigation Report**

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker(s) and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision-maker(s) should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

## **29. Testimony and Questioning**

Once the Investigator(s) present their report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The parties/witnesses will submit to questioning by the Decision-maker(s) and then by the parties through their Advisors ("cross-examination").

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request or agreed to by the parties and the Chair), the proceeding will pause to allow the Chair to consider it, and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may explore arguments regarding relevance with the Advisors, if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/ witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive.

The Chair has final say on all questions and determinations of relevance, subject to any appeal. The Chair may consult with legal counsel on any questions of admissibility. The Chair may ask advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the advisors on relevance once the Chair has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Chair may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

## **30. 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 Quincy University's established rules of decorum for the hearing, Quincy University may require the party to use a different Advisor. If a Quincy University-provided Advisor refuses to comply with the rules of decorum, Quincy University may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

### **31. Recording Hearings**

Hearings (but not deliberations) are recorded by Quincy 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 Quincy 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.

### **32. 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. The hearing facilitator may be invited to attend the deliberation by the Chair, but is there only to facilitate procedurally, not to address the substance of the allegations.

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) may – at their discretion – consider the statements, but they are not binding.

The Decision-maker(s) will review the statements and any pertinent conduct history provided by a member of the Student Development Conduct Team and will recommend/ the appropriate sanction(s), in consultation with other administrators as appropriate.

The Chair will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence disregarded, credibility assessments, and any sanctions.

This report typically should not exceed three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) 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.

### **33. Notice of Outcome**

Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome. The Notice of Outcome may be reviewed by legal counsel for Quincy University, at the request of the Title IX



Coordinator. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within five (5) business days of receiving the Decision-maker(s)' deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. 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 Quincy University records, or emailed to the parties' Quincy University-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will identify the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by Quincy University from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent Quincy University is permitted to share such information under state or federal law; any sanctions issued which Quincy University is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to Quincy University's educational or employment program or activity, to the extent Quincy University is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

The Notice of Outcome will also include information on when the results are considered by Quincy University to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

### **34. Statement of the Rights of the Parties** (see Appendix C)

### **35. 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.

### **Student Sanctions [Example]**

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 Quincy University policy, procedure, or directive will result in more severe sanctions/responsive actions.

**Required Counseling:** A mandate to meet with and engage in either Quincy 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 Quincy University.

**Expulsion:** Permanent termination of student status and revocation of rights to be on campus for any reason or to attend Quincy 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:** Quincy 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:** Quincy University reserves the right to revoke a degree previously awarded from Quincy University for fraud, misrepresentation, and/or other violation of Quincy 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 Quincy University registration) for a specified period of time.

**Other Actions:** In addition to or in place of the above sanctions, Quincy University may assign any other sanctions as deemed appropriate.

## Employee Sanctions

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

- Warning – Verbal or Written
- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Loss of Annual Pay Increase
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Suspension with pay
- Suspension without pay
- Termination

Other Actions: In addition to or in place of the above sanctions, Quincy University may assign any other sanctions as deemed appropriate.

## **36. Withdrawal or Resignation While Charges Pending**

Students: If a student has an allegation pending for violation of the Policy on Equal Opportunity, Harassment, and Nondiscrimination, Quincy 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 Quincy University, the resolution process ends, as Quincy University no longer has disciplinary jurisdiction over the withdrawn student.

However, Quincy 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 Quincy University. Such exclusion applies to all campuses of Quincy University. A hold will be placed on their ability to be readmitted. They may also be barred from Quincy University property and/or events.

If the student Respondent only 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 Quincy University unless and until all sanctions have been satisfied.

During the resolution process, Quincy University may put a hold on a responding student's transcript or place a notation on a responding student's transcript or dean's disciplinary certification that a disciplinary matter is pending.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as Quincy University no longer has disciplinary jurisdiction over the resigned employee.

However, Quincy 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 Quincy University or any campus of Quincy University, and the records retained by the Title IX Coordinator will reflect that status.

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

### **37. Appeals**

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator within 3 days of the delivery of the Notice of Outcome.

The Vice President for Student Development will serve as the single Appeal Decision-maker and was not involved in the process previously, including any dismissal appeal that may have been heard earlier in the process. The Title IX Coordinator will select a substitute if needed.

The Request for Appeal will be forwarded to the Appeal Chair for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

#### **a. Grounds for Appeal**

Appeals are limited to the following grounds:

- a. Procedural irregularity that affected the outcome of the matter;
- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- 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.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Chair and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Chair will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s).

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 7 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 for standing by the Appeal Chair 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 3 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 Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and the [Chair/Panel] will render a decision in no more than 7 business days, barring exigent circumstances. All decisions apply the preponderance of the evidence.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which Quincy University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent Quincy 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' Quincy University-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

### **b. Sanctions Status During the 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, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

Quincy 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.

### **c. Appeal Considerations**

Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.

Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.

An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).

The Appeal Chair/Panel may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.

Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.

Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).

In rare cases where a procedural error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).

The results of a remand to a Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.

In cases in which the appeal results in reinstatement to Quincy University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

### **38. Long-Term Remedies/Other Actions**

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by Quincy University to the Respondent to ensure no effective denial of educational access.

Quincy University will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair Quincy University's ability to provide these services.

### **39. Failure to Comply with Sanctions and/ or Interim and Long-term Remedies and/or Responsive Actions**

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Chair/Panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from Quincy University and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

### **40. Recordkeeping**

Quincy 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 Quincy University's education program or activity;
- 4) Any appeal and the result therefrom;
- 5) Any Informal Resolution and the result there from;

All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. Quincy University will make these training materials publicly available on Quincy University's website. (Note: If Quincy University does not maintain a website, Quincy University must make these materials available upon request for inspection by members of the public.); and

Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:

- 1) The basis for all conclusions that the response was not deliberately indifferent;

- 2) Any measures designed to restore or preserve equal access to Quincy University's education program or activity; and
- 3) 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.

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

**41. Disabilities Accommodations in the Resolution Process**

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

Anyone needing such accommodations or support should contact the Vice President for Student Development or Vice President for Business and Finance, in an employee 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.

**42. Revision of this Policy and Procedures**

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation and will be reviewed and updated annually by the Title IX Coordinator. Quincy University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impact this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This Policy and its associated procedures are effective August 15, 2022.

# Appendix 1: Statement of Rights of the Parties

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment or discrimination made in good faith to Quincy University officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by Quincy University officials.
- The right to have Quincy University policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by Quincy University officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities.
- The right to be informed by Quincy University officials of options to notify proper law enforcement authorities, including on-campus and local police,

and the option(s) to be assisted by

Quincy University authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well.

- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by Quincy University law enforcement and/or other Quincy University officials.
- The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.
- The right to a Quincy University-implemented no-contact order (or a no-trespass order against a non-affiliated third party) when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others.
- The right to be informed of available assistance in changing academic, living, and/ or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
  - Relocating an on-campus student's housing to a different on-campus location
  - Assistance from Quincy University staff in completing the relocation
  - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
  - Transportation accommodations
  - Visa/immigration assistance

- Arranging to dissolve a housing contract and a pro-rated refund
- Exam, paper, and/or assignment rescheduling or adjustment
- Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
- Transferring class sections
- Temporary withdrawal/leave of absence (may be retroactive)
- Campus safety escorts
- Alternative course completion options.
- The right to have Quincy University maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair Quincy University's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to ask the Investigator(s) and Decision-maker(s) to identify and question relevant witnesses, including expert witnesses.
- The right to provide the Investigator(s)/ Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Chair, may be asked of any party or witness.
- The right not to have irrelevant prior sexual history or character admitted as evidence.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of the investigation report, including all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
- The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received [at least eight hours of] relevant annual training.
- The right to a Hearing Panel that is not single sex in its composition, if a panel is used.
- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any Quincy University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to have Quincy University compel the participation of faculty and staff witnesses.
- The right to the use of the appropriate standard of evidence, [preponderance of the evidence to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.



- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale therefor (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.
- The right to be informed in writing of when a decision by Quincy University is considered final and any changes to the sanction(s) that occur before the decision is finalized.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by Quincy University.
- The right to a fundamentally fair resolution as defined in these procedures.

# Appendix 2: Violence Risk Assessment (VRA)

Threat assessment is the process of assessing the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A **Violence Risk Assessment (VRA)** is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

The implementation of VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, and/or other Behavioral Intervention Team (BIT) (sometimes also known as CARE teams) members.

A VRA occurs in collaboration with the BIT, CARE, and or threat assessment team and must be understood as an on-going process, rather than a singular evaluation or meeting. A VRA is not an evaluation for an involuntary behavioral health hospitalization, nor is it a psychological or mental health assessment.

A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

When conducting a VRA, the assessor(s) use an evidence-based process consisting of:

- 1) an appraisal of risk factors that escalate the potential for violence;
- 2) a determination of stabilizing influences that reduce the risk of violence;
- 3) a contextual analysis of violence risk by considering environmental circumstances, hopelessness, and suicidality; catalyst events; nature and actionability of threat; fixation and focus on target; grievance collection; and action and time imperative for violence; and
- 4) the application of intervention and management approaches to reduce the risk of

violence.

To assess an individual's level of violence risk, the Title IX Coordinator will initiate the violence risk assessment process through the BIT. The BIT will assign a trained individual(s) to perform the assessment, according to the specific nature of the Title IX case.

The assessor will follow the process for conducting a violence risk assessment as outlined in the BIT manual and will rely on a consistent, research-based, reliable system that allows for the operationalization of the risk levels. The VRA is conducted independently from the Title IX process, free from outcome pressure, but is informed by it. The individual(s) conducting the assessment will be trained to mitigate any bias and provide the analysis and findings in a fair and equitable manner.

The BIT/CARE or threat team's member(s) conducts a VRA process and makes a recommendation to the Title IX Coordinator as to whether the VRA indicates there is a substantial, compelling, and/or immediate risk to health and/or safety of an individual or the community.

# Appendix F: Process B

- Process B is applicable when the Title IX Coordinator determines Process A is inapplicable, or offenses subject to Process A have been dismissed.
- If Process A is applicable, Process A must be applied in lieu of Process B.
- Quincy University can substitute any alternative process instead of Process B, if desired.
- VAWA Section 304 requirements apply to Process B or any alternative process for reports that fall under VAWA.
- Title IX requirements outside of Section 106.30 (based on the original 1975 regulations, the 2001 Revised Guidance, etc.) may also be applicable to Process B.

## **INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE POLICY ON EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION**

Quincy University will act on any formal or informal allegation or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination that is received by the Title IX Coordinator or a member of the administration, faculty, or other employee, with the exception of confidential resources, as articulated in the Policy above.

The procedures described below apply to all allegations of harassment or discrimination on the basis of protected class status involving students, staff, faculty members, or third parties

These procedures may also be used to address collateral misconduct arising from the investigation of or occurring in conjunction with harassing or discriminatory conduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by this policy will be addressed through the procedures elaborated in the relevant statements of institutional policy for students, faculty, and non-instructional staff.

## **1. Initial Assessment**

Following intake, receipt of notice, or a complaint of an alleged violation of Quincy University's non-discrimination Policy, the Title IX Coordinator engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they have an Advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive response or an Administrative Resolution.
  - If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. The Administrative Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.
  - If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
  - If Administrative Resolution is preferred, the Title IX Coordinator initiates the investigation process and determines whether the scope of the investigation will address:
    - Incident, and/or
    - A potential pattern of misconduct, and/or
    - A culture/climate issue.
- In many cases, the Title IX Coordinator may determine that a Violence Risk

Assessment (VRA) should be conducted by the appropriate institutional office or as part of the initial assessment. A VRA can aid in ten (10) critical and/or required determinations, including:

- Interim suspension of a Respondent who is a threat to health/safety;
- Whether the Title IX Coordinator should pursue Administrative Resolution absent a willing/able Complainant;
- Whether to put the investigation on the footing of incident and/or pattern and/or climate;
- To help identify potentially predatory conduct;
- To help assess/identify grooming behaviors;
- Whether a Complaint is amenable to Informal Resolution, and what modality may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent;
- Whether to impose transcript notation or communicate with a transfer Quincy University about a Respondent;
- Assessment of appropriate sanctions/ remedies;
- Whether a Clery Act Timely Warning/ Trespass order/Persona-non-grata is needed.

Based on the initial assessment, Quincy University will initiate one of two responses:

- Informal Resolution – typically used for less serious offenses and only when all parties agree to Alternate Resolution, or when the Respondent is willing to accept responsibility for violating policy. This can also include a remedies-only response.
- Administrative Resolution – investigation of policy violation(s) and recommended finding, subject to a determination by the Title IX Coordinator or Decision-maker and the opportunity to appeal to an Appeal Panel/ Appeal Decision-maker.

The investigation and the subsequent Administrative Resolution determine whether the non-discrimination policy has been violated. If so, Quincy University will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

The process followed considers the preference of the parties but is ultimately determined at the discretion of the Title IX Coordinator. At any point during the initial assessment or formal investigation, if the Title IX Coordinator determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the parties will be notified.

The Complainant may request that the Title IX Coordinator review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the Title IX Coordinator, but the request is usually only granted in extraordinary circumstances.

## 2. Resolution Process Pool

The resolution processes rely on a pool of officials (“Pool”) to carry out the process. Members of the Pool are announced in an annual distribution of this Policy to all students and their parents/guardians, employees, prospective students, and prospective employees.

The list of members and a description of the Pool is available from the Title IX Coordinator. Members of the Pool are trained annually in all aspects of the resolution process and can serve in any of the following roles, at the direction of the Title IX Coordinator:

- To provide sensitive intake for and initial advice pertaining to the allegations
- To act as optional process Advisors to the parties
- To facilitate Informal Resolution
- To investigate allegations
- To serve as a Decision-maker
- To serve on an Appeal Panel

The Title IX Coordinator, in consultation with appropriate senior administrators of the university, carefully vets Pool members for potential conflicts of interest or disqualifying biases and appoints the Pool, which acts with independent and impartiality.

Pool members receive annual training organized by the Title IX Coordinator, including a review of Quincy University policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately address allegations, provide accurate information to members of the community, protect safety, and promote accountability.

The Pool members receive annual training. This training includes, but is not limited to:

- The scope of Quincy University's policies and procedures relevant to discrimination and harassment
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- Types of evidence
- Deliberation
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by Quincy University with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy

- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially, by avoiding pre-judgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment and discrimination allegations

Specific training is also provided for Appeal Decision-makers, intake personnel, and Advisors.

The Process Pool includes appropriate representatives from Academic Affairs, Business Affairs, Student Development, Enrollment Management, and Intercollegiate Athletics.

Pool members are usually appointed to three-year terms. Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

### 3. Counterclaims

Counterclaims by the Respondent may be made in good faith but are also sometimes made for purposes of retaliation. Quincy University is obligated to ensure that any process is not abused for retaliatory purposes.

Quincy University permits the filing of counterclaims, but uses the initial assessment, described above in the Policy section, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

#### 4. Advisors

##### a. Expectations of an Advisor

Quincy University generally expects an Advisor to adjust their schedule to allow them to attend Quincy University meetings when planned, but Quincy University may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Quincy University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Parties whose Advisors are disruptive or who do not abide by Quincy University policies and procedures may face the loss of that Advisor and/or possible Policy violations.

Advisors are expected to consult with their advisees without disrupting Quincy University meetings or interviews. Advisors do not represent parties in the process; their role is only to advise.

##### b. Expectations of the Parties with Respect to Advisors

Each party may choose an Advisor who is eligible and available to accompany them throughout the process. The Advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout.

The parties are expected to inform the Investigators of the identity of their Advisor at least two (2) business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Investigator(s) and/or the Title IX Coordinator if they change Advisors at any time.

Upon written request of a party, Quincy University will copy the Advisor on all communications between Quincy University and the party. The Advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

At the discretion of the Title IX Coordinator, more than one Advisor may be permitted to the parties, upon request. For equity purposes, if one party is allowed another Advisor, the other party must be allowed another advisor as well.

c. Assistance in Securing an Advisor  
Quincy University may be able to assist in identifying an Advisor for the resolution process. Please contact the Title IX Coordinator for assistance.

#### 5. Resolution Options

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with Quincy University Policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose but are encouraged to discuss with their Advisors first before doing so.

##### a. Informal Resolution

Informal Resolution is applicable when the parties voluntarily agree to resolve the matter through Alternate Resolution (e.g., restorative practices), or when the Respondent accepts responsibility for violating Policy, or when the Title IX Coordinator can resolve the matter informally by providing remedies to resolve the situation.

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process. Further, if an Informal Resolution fails after the fact, Administrative Resolution may be pursued.

##### i. Alternate Resolution

Alternate Resolution is an informal process, such as mediation or restorative practices, by which a mutually agreed upon resolution of an allegation is reached. It may be used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative Resolution process (described below) to resolve conflicts.

The parties must consent to the use of Alternate Resolution.

The Title IX Coordinator determines if Alternate Resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the conduct to Alternate Resolution.

In an Alternate Resolution meeting, a trained administrator facilitates a dialogue with the parties to an effective resolution, if possible. Institutionally imposed sanctions are not possible as the result of an Alternate Resolution process, though the parties may agree to accepted sanctions and/or appropriate remedies.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution can result in appropriate enforcement actions.

Alternate Resolution is not typically the primary resolution mechanism used to address reports of violent behavior of any kind or in other cases of serious violations of policy, though it may be made available after the Administrative Resolution process is completed should the parties and the Title IX Coordinator believe it could be beneficial. The results of Alternate Resolution are not appealable.

ii. Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent accepts responsibility, the Title IX Coordinator makes a determination that the individual is in violation of Quincy University Policy.

The Title IX Coordinator then determines appropriate sanction(s) or responsive actions, which are promptly implemented in order to effectively stop the harassment, discrimination, and/or re-taliation; prevent its recurrence; and remedy the effects of the conduct, both on the Complainant and the community.

If the Respondent accepts responsibility for all of the alleged policy violations and the Title IX Coordinator or designee has determined appropriate sanction(s) or responsive actions, which are promptly implemented, the process is over. The Complainant will be informed of this outcome.

If the Respondent accepts responsibility for some

of the alleged policy violations and the Title IX Coordinator has determined appropriate sanction(s) or responsive actions, which are promptly implemented, for those violations, then the remaining allegations will continue to be investigated and resolved. The Complainant will be informed of this outcome. The parties are still able to seek Alternate Resolution on the remaining allegations, subject to the stipulations above.

iii. Negotiated Resolution

The Title IX Coordinator, with the consent of the parties, may negotiate and implement any agreement to resolve the allegations that satisfies all parties and Quincy University.

b. Administrative Resolution

Administrative Resolution can be pursued for any behavior for which the Respondent has not accepted responsibility that constitutes conduct covered by the Equal Opportunity, Harassment, and Nondiscrimination Policy at any time during the process. Administrative Resolution starts with a thorough, reliable, and impartial investigation.

If Administrative Resolution is initiated, the Title IX Coordinator will provide written notification of the investigation to the parties at an appropriate time during the investigation. Typically, notice is given [at least 48 hours] in advance of an interview. Advanced notice facilitates the parties' ability to identify and choose an Advisor, if any, to accompany them to the interview.

Notification will include a meaningful summary of the allegations, 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 Quincy University records, or emailed to the parties' Quincy University-issued or designated email account.

Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The notification should include the policies allegedly violated, if known at the time. Alternatively, the policies allegedly violated can be provided at a later date, in writing, as the investigation progresses, and details become clearer.

Quincy University aims to complete all investigations within a sixty (60) business daytime period, which can be extended as necessary for

appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate.

Once the decision is made to commence an investigation, the Title IX Coordinator appoints Pool members to conduct the investigation, usually within two (2) days of determining that an investigation should proceed.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no conflicts of interest or disqualifying bias.

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, another Investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the bias or conflict relates to the Title IX Coordinator, concerns should be raised with Vice President of Business and Finance.

Investigations are completed expeditiously, normally within 10-20 business days, though some investigations take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Quincy University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Quincy University may undertake a short delay in its investigation (several days to weeks, to allow evidence collection) when criminal charges based on the same behaviors that invoke Quincy University's resolution process are being investigated by law enforcement. Quincy University will promptly resume its investigation and resolution process once notified by law enforcement that the initial evidence collection process is complete.

Quincy University action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

Investigations involve interviews with all relevant

parties and witnesses, obtaining available, relevant evidence, and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, though the investigation process, to suggest witnesses and questions, to provide evidence, and to fully review and respond to all evidence, on the record.

## 6. Investigation

The Investigators typically take the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct
- Assist the Title IX Coordinator with conducting an initial assessment to determine if there is reasonable cause to believe the Respondent has violated policy
- If there is insufficient evidence to support reasonable cause, the process is closed with no further action
- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all parties and witnesses
- Meet with the Complainant to finalize their statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA) on the basis of the initial assessment. Notice may be one step or multiple steps, depending on how the investigation unfolds, and potential policy violations may be added or dropped as more is learned. Investigators will update the NOIA accordingly and provide it to the parties.
- Notice should inform the parties of their right to have the assistance of a Pool member as a process Advisor appointed by Quincy University or other Advisor of their choosing present for all meetings attended by the advisee



- When formal notice is being given, it should provide the parties with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result
- Give an instruction to the parties to preserve any evidence that is directly related to the allegations
- Provide the parties and witnesses with an opportunity to review and verify the Investigator's summary notes from interviews and meetings with that specific party or witness
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
- Interview all relevant individuals and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest questions they wish the Investigator(s) to ask of the other party and witnesses
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation
- Prior to the conclusion of the investigation, summarize for the parties the list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation and all evidence
- Provide parties with a copy of the draft investigation report when it is completed, including all relevant evidence, analysis, credibility assessments, and recommended finding(s)
- Provide each party with a full and fair opportunity to respond to the report in writing within seven (7) and incorporate that response into the report
- Investigators may choose to respond in writing in the report to the responses of

the parties, and/or to share the responses between the parties for their responses,

- while also ensuring that they do not create a never-ending feedback loop
- Share the report with the Title IX Coordinator and legal counsel for review and feedback.
- Provide the final report to the Title IX Coordinator with one of two options:
  - Include in the report a recommendation to the Title IX Coordinator/Decision-maker on a determination, based on a preponderance of the evidence, whether a policy violation is more likely than not to have occurred; OR
  - Gather, assess, and synthesize evidence without making a finding, conclusion, determination or recommendation.
- Provide the final report to the Title IX Coordinator. Recommend to the Title IX Coordinator a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not).

## 7. Determination

Within two to three days of receiving the Investigator's recommendation, the Title IX Coordinator or a trained, designated Decision-maker from the Pool reviews the report and all responses, and then makes the final determination on the basis of the preponderance of the evidence. If the record is incomplete, the Title IX Coordinator/ Decision-maker may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the parties or any witnesses, if needed.

The recommendation of the investigation should be strongly considered but is not binding on the Title IX Coordinator/Decision-Maker. The Title IX Coordinator or Decision-maker may invite and consider impact statements from the parties if and when determining appropriate sanction(s), if any.

The Title IX Coordinator then timely provides the parties with a written Notice of Outcome to include findings, any sanction(s), and a detailed rationale, delivered simultaneously (without undue delay) to the parties.

## **8. Additional Details of the Investigation Process**

### **a. Witness responsibilities**

Witnesses (as distinguished from the parties) who are faculty or staff of Quincy University are expected to cooperate with and participate in Quincy University's investigation and resolution process. Failure of a witness to cooperate with and/or participate in the investigation or resolution process constitutes a violation of Policy and may be subject to discipline.

### **b. Remote processes**

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) or Decision-maker determine that timeliness or efficiency dictates a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by the Investigator(s), though this approach is not ideal. Where remote technologies are used, Quincy University makes reasonable efforts to ensure privacy, and that any technology does not work to the detriment of any party or subject them to unfairness.

### **c. Recording**

No unauthorized audio or video recording of any kind is permitted during the resolution process. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of and consent to audio and/or video recording.

### **d. Evidence**

Any evidence that is relevant and credible may be considered, including an individual's prior misconduct history as well as evidence indicating a pattern of misconduct. The process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

### **e. Sexual history/patterns**

Unless the Title IX Coordinator determines it is appropriate, the investigation and the finding do not consider:

(1) incidents not directly related to the possible violation, unless they evidence a pattern; (2) the sexual history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); or (3) the character of the parties.

### **f. Previous allegations/violations**

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation, the Investigator(s) may supply the Title IX Coordinator with information about previous good faith allegations and/or findings, when that information suggests potential pattern and/or predatory conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanction(s), if Quincy University uses a progressive discipline system.

### **g. Character witnesses**

Neither the Title IX Coordinator nor the Investigator(s) meet with character witnesses, but the Investigator(s) may accept up to two (2) letters supporting the character of each of the parties. Such letters must be provided to the Investigator(s) prior to the report being finalized; otherwise, the parties have waived their right to provide such letters.

### **h. Notification of outcome**

If the Respondent admits to the violation(s), or is found in violation, the Title IX Coordinator [in consultation with other administrators as appropriate] determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively to stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The Title IX Coordinator informs the parties of the determination within two to three business days of the resolution, ideally simultaneously, but without significant time delay between notifications. Notifications are 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 Quincy University records; or emailed to the parties' Quincy University-issued or designated

email account. Once mailed, emailed, and/or received in-person, notice is presumptively delivered.

The Notification of Outcome specifies the finding for each alleged policy violation, any sanction(s) that may result which Quincy University is permitted to share pursuant to state or federal law, and the rationale supporting the essential findings to the extent Quincy University is permitted to share under state or federal law. The notice will detail when the determination is considered final and will detail any changes that are made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notification of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal of the findings. More information about the appeal procedures can be found in section 11 below.

## 9. Sanctions

Factors considered when determining any sanction(s)/responsive action(s) may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation
- An individual'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 Title IX Coordinator

The sanction(s) will be implemented as soon as is feasible. The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by outside authorities.

### A. Student Sanctions [Example]

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

*Warning:* A formal statement that the behavior was unacceptable and a warning that further infractions of any Quincy University policy, procedure, or directive will result in more severe sanctions / responsive actions.

*Probation:* A written reprimand for violation of Quincy University Policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any Quincy University 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 Quincy University. At the discretion of the Title IX Coordinator, this sanction may be noted as a Disciplinary Suspension on the student's official transcript.

*Expulsion:* Permanent termination of student status, revocation of rights to be on campus for any reason or attend Quincy University-sponsored events. This sanction will be noted as a Conduct Expulsion on the student's official transcript.

*Withholding Diploma and/or Official Transcripts:* Quincy University may withhold a student's diploma and/or official transcripts 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:* Quincy University reserves the right to revoke a degree previously awarded from Quincy University for fraud, misrepresentation, or other violation of Quincy 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 Quincy University registration), for a specified period of time.

*Other Actions:* In addition to or in place of the above sanctions, Quincy University may assign any other sanctions as deemed appropriate.

## **b. Employee Sanctions**

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

*Warning – Verbal or Written*

*Performance Improvement/Management Process*

*Required Counseling*

*Required Training or Education*

*Probation*

*Loss of Annual Pay Increase*

*Loss of Oversight or Supervisory Responsibility*

*Demotion*

*Suspension with pay*

*Suspension without pay*

*Termination*

*Other Actions:* In addition to or in place of the above sanctions, Quincy University may assign any other sanctions as deemed appropriate.

## **10. Withdrawal or Resignation While Charges are Pending**

**Students:** Quincy University does not permit a student to withdraw if that student has an allegation pending for violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination. Quincy University may place a hold, bar access to an official transcript, and/or prohibit graduation as necessary to permit the resolution process to be completed.

**Employees:** Should an employee resign with unresolved allegations pending, the records of the Title IX Coordinator will reflect that status, and any Quincy University responses to future inquiries regarding employment references for that individual will include the former employee's unresolved status.

## **11. Appeals**

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within three (3) business days of the delivery of the written finding of the Title IX Coordinator or Decision-maker. Any party may appeal the findings only under the grounds described below.

An Appeal Decision-maker chosen from the Pool will be designated by the Title IX Coordinator from those who have not been involved in the process previously. One member of the Appeal Panel will be designated as the Chair by the Title IX Coordinator. Any party may appeal, but appeals are limited to the following grounds:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures).
- To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
- The sanctions imposed fall outside the range of sanctions Quincy University has designated for this offense and the cumulative record of the Respondent

When any party requests an appeal, the Title IX Coordinator will share the appeal request with the other party(ies) or other appropriate persons such as the Investigator(s), who may file a response

within three (3) business days. The other party may also bring their own appeal on separate grounds. If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within three (3) business days. These responses or appeal requests will be shared with each party.

The Appeal Chair/Panel will review the appeal request(s) within three (3) business days of completing the pre-appeal exchange of materials. If grounds are not sufficient for an appeal, or the appeal is not timely, the appeal Chair/Panel dismisses the appeal.

When the appeal Chair/panel finds that at least one of the grounds is met by at least one party, additional principles governing the review of appeals include the following:

- Decisions by the Appeal Chair/Panel are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is compelling justification to do so.
- Appeals are not intended to be full re-hearings (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the investigation and pertinent documentation regarding the grounds for appeal.
- An appeal is not an opportunity for the Appeal Chair/Panel to substitute their judgment for that of the original Investigator(s) or Title IX Coordinator/Decision-maker merely because they disagree with the finding and/or sanction(s).
- Appeals granted based on new evidence should normally be remanded to the Investigator(s) for reconsideration. Other appeals should be remanded at the discretion of the Appeal Chair/Panel.
- Sanctions imposed as the result of Administrative Resolution are implemented immediately unless the Title IX Coordinator stays their implementation in extraordinary circumstances, pending the outcome of the appeal.

- for students: Graduation, study abroad, internships/ externships, etc., do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal.

- All parties will be informed in writing within seven (7) business days of the outcome of the appeal without significant time delay between notifications, and in accordance with the standards for Notice of Outcome as defined above.
- Once an appeal is decided, the outcome is final; further appeals are not permitted, even if a decision or sanction is changed on remand.
- In rare cases when a procedural error cannot be cured by the original Investigator(s) and/or Title IX Coordinator/Decision-maker (as in cases of bias), the Appeal Chair/Panel may recommend a new investigation and/or Administrative Resolution process, including a new resolution administrator.
- The results of a new Administrative Resolution process can be appealed once, on any of the three applicable grounds for appeals.
- In cases in which the appeal results in Respondent's reinstatement to Quincy University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

## 12. Long-Term Remedies/Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement long-term remedies or actions with respect to the parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to an Employee Assistance Program

- Education to the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, long-term remedies may also be provided to the Complainant even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedial requirements owed by Quincy University to the Respondent.

### **13. Failure to Complete Sanctions/ Comply with Interim and Long-term Remedies/Responsive Actions**

All Respondents are expected to comply with conduct sanctions, responsive actions, and corrective actions within the timeframe specified by the Title IX Coordinator.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/responsive/corrective action(s), including suspension, expulsion, and/or termination from Quincy University and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

### **14. Recordkeeping**

In implementing this policy, records of all allegations, investigations, resolutions, and hearings will be kept indefinitely, or as required by state or federal law or institutional policy, by the Title IX Coordinator.

### **15. Statement of the Rights of the Parties (see Appendix 1)**

### **16. Disabilities Accommodation in the Resolution Process**

Quincy University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the resolution process at Quincy University. Anyone needing such accommodations or support should contact the Director of Disability Services, 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.

### **17. Revision**

These policies and procedures will be reviewed and updated annually by the Title IX Coordinator. Quincy University reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect.

The Title IX Coordinator may make minor modifications to these procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules.

The Title IX Coordinator may also vary procedures materially with notice (on Quincy University website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure.

Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred.

Policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution, unless the party's consent to be bound by the current policy.

If government regulations change in a way that impacts this document, this document will be construed to comply with the most recent government regulations.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws, which frame such policies and codes, generally.

This policy and procedure were initially implemented on August 15, 2022.

# Student Accountability Policies

Quincy University students are subject to all local, county, state and federal laws, as well as the University Policies and Residence Life Policies, and may be held accountable through the Student Accountability Process resulting in appropriate sanctions, up to and including dismissal from the University. This also extends to conduct off campus that is brought to the attention of the University.

The Student Accountability Process is not a criminal proceeding and functions independently. The Student Accountability Process may consider, but is not bound by, any action taken in regard to the same violation by city, state, or federal courts. There is no legal basis for any claim of double jeopardy within the Quincy University Student Accountability Process.

All records related to campus incidents, student behavior, or any alleged violations of Student Accountability Process and/or University policies are housed digitally.

The following policies apply to all students (residential/commuter) and any guest a QU registered student. These policies are to be adhered to in addition to the University Policies. Alleged violations of any policy or procedure may be referred to the Student Accountability Process.

The University reserves the right to prohibit any item or activity deemed by University staff to be harmful, unadvisable, or not in the best interest of students or the University.

**University Policies-All university policies listed in this handbook must be followed and are subject to the student accountability process.**

Category	Policy Explanation
Failure to Comply	All policies outlined in the student handbook must be followed. Should a student not follow the policies and/or failure to comply with the directions of University officials (including Resident Advisors/Directors/ Security Officers) or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so; refusal or failure to leave premises because of conduct prescribed by this code could result in suspension or expulsion. This could pertain to all policies at Quincy University in and out of the classroom, residential or commuter.
COVID Policies	All COVID policies including masking, quarantine protocols, students must follow testing protocols, physical distance protocols, and such. Students may be removed from university or dismissed from the university for not following these policies.



## Offenses against the Community

Alcohol	Use, possession, presence, manufacture, or distribution of alcoholic beverages (except as expressly permitted by University regulations, refer to the University's Alcohol Policy), public intoxication; alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age. Alcohol possession and use by student is prohibited outdoors unless otherwise approved by the Director of Security.
Arson	Students are prohibited from intentionally setting fires.
Discriminatory Harassment	Conduct (oral, written, graphic or physical) directed against any person or, group of persons because of their race, color, national origin, religion, sex, sexual orientation, age, disability, or veteran's status and that has the purpose or reasonably foreseeable effect of creating an offensive, demeaning, intimidating, or hostile environment for that person or group of persons. This may result in hearing with the University Accountability Board with the possibility of suspension or expulsion.
Disorderly Conduct	Disturbing the peace, being a nuisance, disorderly conduct, creating a safety hazard or inordinately disruptive activities that are disruptive to the community.
Drugs - Distribution	Manufacturing or distribution of drugs or equipment, products or material used in manufacturing, growing, using, or distributing of any drug or controlled substance (Please refer to the University's Drug Policy for more information and violations).
Drugs - Use	Use of drugs or equipment, products or material associated with the use of any drug or controlled substance (Please refer to the University's Drug Policy for more information and violations).
Drug Paraphernalia	Possession of drug-related paraphernalia, i.e. any items used to facilitate drug use (e.g. bong, roach clip, hookah/water pipe, hash-style pipe, scales, and vaporizers) is prohibited within the residence halls.
Endangering Behavior	Residents may not engage in any activities that may cause harm to themselves or others. Prohibited activities include, but are not limited to, tampering with fire safety equipment such as fire extinguishers, exit signs, etc.; hall sports; water fights; use of roller blades; climbing the exterior of halls; sitting outside a hall window, etc.
Flammable Liquids	Gasoline, kerosene, alcohol, cleaning fluids, etc., constitute a serious danger and are prohibited in residence hall, as are vehicles containing such fluids.
Fire Alarms & Safety Equipment	Tampering with fire alarms or safety equipment is prohibited. This includes, but is not limited to, fire hydrants, fire hoses, extinguishers, smoke detectors, sprinkler systems and fire alarm pulls.
Fire Hazard	Items that pose a fire hazard in the residence hall are prohibited. This includes but is not limited to items with open heating elements such as toasters, hot plates, space heaters, candles, and incense burners.
Guests	See page 30 for complete guest policy

Hover board	Consistent with the College's Fire Hazard Policy, the use, possession or storage of Hover boards, self-balancing scooters or similar devices are prohibited on Quincy University property due to safety concerns, including but not limited to the risk of explosion, fire and spontaneous combustion. This prohibition policy applies to all persons and includes all residence halls, student houses, academic buildings, other campus buildings, campus grounds, sidewalks and parking lots.
Lewd or Indecent	Any behavior of a sexual nature that is crude, offensive, contrary to standards of appropriate behavior and visible and/or imposed to others or conducted in a public or community environment.
Non-lethal Weapons – Possession/Use	Possessing or using non-lethal weapons (projectiles) that may result in direct or indirect injury are prohibited in the residence halls and in resident rooms. This may include but is not limited to slingshots of all types, paintball guns, air soft guns, any toy gun that fires any type of projectile, any look alike or simulated guns, bb guns, and/or pellet guns.
Offenses against Others	Any acts or course of actions aimed at specific persons in order to disgrace, threaten, intimidate, restrain or injure them, whether the harassment be physical, verbal, or visual whatever the medium used (such as electronic, telephonic, mail, etc.), and whatever the reason for the harassment (such as race, religion, sexual orientation, gender) is against university policy and may result in hearing with the University Accountability Board with the possibility of suspension or expulsion.
Pets and Animals on Campus	The College reserves the right to revoke permission granted for the campus presence of therapy or companion animals whose owner fails to follow the requirements set forth. The College also reserves the right to ban service, therapy, or companion animals who do not behave appropriately. For health and hygiene reasons, pets (except for fish-limited to 10-gallon tanks) are prohibited from all single and family residence areas.
Prohibited Items	<p>While we strive to allow students the freedom to enjoy their living spaces on campus, there are limitations to what is allowed on campus. It is each resident's obligation to be familiar with these policies. Violators are subject to disciplinary action. All rules and regulations are administered without regard to race, color, religion, national origin, marital status, gender, sexual orientation, or physical ability.</p> <ul style="list-style-type: none"> <li>-Dart Boards</li> <li>-Water-filled Furniture</li> <li>-Lofts</li> <li>-Fireworks- Any &amp; all fireworks &amp; explosives are prohibited in all residence areas.</li> <li>-Flammable Liquids-The use or storage of any equipment requiring flammable liquids, such as gas grills, motorcycles, or other gas-engine vehicles, is not allowed in residence halls or apartments.</li> <li>-Any styles of torchiere lamps are not permitted in the residence halls and apartments, including those that have incandescent light bulbs. In addition, any style of halogen lamps is not permitted, including desk lamps or any other lamp that may require a halogen bulb. Fabric or paper that comes in contact with these high-intensity bulbs can ignite in seconds and has caused serious fires on some campuses.</li> <li>-The University prohibits "use or possession of dangerous weapons, explosive devices or materials, including but not limited to firearms, dangerous knives, BB and pellet guns, air rifles, slingshots, ammunition, firecrackers, bombs, whips, and martial arts weapons.</li> <li>-Possession of weapons or firearms of any sort is strictly prohibited in all residence areas. Security and/or local police will confiscate any weapons found and the owners will be subject to disciplinary action.</li> </ul>

Quiet Hours	Quiet Hours & 24-Hour Courtesy Hours: Quiet hours are maintained from 11:00pm to 7:00am. No loud or disruptive noise is allowed outside rooms during these times. All other hours are considered courtesy hours, during which a reasonable amount of quiet is expected. Students are expected to comply with another student's request to lower his/her noise level. Beginning 48 hours prior to the first final examination and throughout final exam week, 24-hour quiet hours are in effect.
Theft	Intentionally or fraudulently taking property belonging to another person or entity without permission or consent.
Tobacco in Residence Hall	Smoking of any kind (hookahs, e-cigarettes, and vape/vapor/vaporizer pens) and the use of tobacco products (e.g. chew, snuff, etc.) are not allowed in any area of the residence halls or on campus. This includes study rooms, restrooms, hallways, stairways, lobbies, elevators, lounges, student rooms, etc.
Unauthorized Recording	Any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person.

### Things to Know:

- Students may possess and/or consume alcohol, if age 21 and older, in student's private room/suite/apartment/house, if all residents of the room/suite/apartment/house are age 21 and older. For example, a suite is considered a wet suite and alcohol is permitted if all students and guests are 21 or older and a suite is considered a dry suite, and no alcohol is permitted in the room, if at least 1 student or guest is under the age of 21.
- Students may not display, possess, or consume alcohol in any public area (defined as any area outside of a private room/suite/apartment/house). For the purposes of this policy, house porches, patios, decks, and yards are considered a public area.
- Students (regardless of age) MAY NOT DISPLAY alcohol containers, including beer boxes, beer steins, shot glasses, etc. (full or empty) in their room/suite/apartment/house.
- Students and guests under the age of 21 are not permitted to be in the presence of alcohol in any on campus housing area.
- Possession, consumption, or display of any alcohol or alcohol containers is not permitted in any area designated as alcohol free, including but not limited to, any first-year halls, rooms/suites/apartments/houses where any residents within are under 21, etc. Garner and Helein are dry buildings.

### University Property

Category	Policy Explanation
Alterations to University Owned Property	Painting or any alterations to any university property is strictly prohibited. Any student who undertakes these alterations on his/her own will bear full financial and disciplinary liability for damages incurred in the process and for repainting.

Appliances	<p>Any appliances with an open flame, open heating coil, or open heating element (i.e., hot plates and coffee coils) are strictly prohibited because they are fire hazards. The following items are strictly prohibited (including, but not limited to): toasters, toaster ovens, hibachis (electric or propane), hot plates, space heaters, electric skillets, soup warmers, s'more makers, electric grills, and gas grills. Deep fat fryers and smoke machines are not permitted.</p> <p>Mini refrigerators: Students may bring one mini refrigerator per bedroom within a living space. Mini refrigerators are limited to 5.0 cu- bic feet or less.</p> <p>Microwaves: Students may bring one microwave per bedroom within a living space. Microwaves are limited to 600 watts or less.</p>
Elevators	Residents should not tamper with or vandalize the elevator.
Damage and/or Vandalism	Destruction, damage, or misuse of University property or the property of any other person or group or deliberate or accidental damage to University property, property of guests, faculty, staff, and students, is prohibited.
Keys and Locks	<p>Residents may not loan their keys to others and are responsible for all activity that takes place in the residence halls as a result of key use and may not duplicate their key.</p> <p>Students who lose their key or ID keycard will be billed for lock and key replacements. Students must report lost or stolen keys as soon as possible to the Office of Student Development or Campus Security.</p>
Launching from Building	Launching, dropping, throwing or dumping any object or substance from within or on a University structure or property
Restricted & Secured Areas	Entering/exiting/tampering with any University building, event, or restricted area, except in accordance with established procedures
Roof Access	No person may walk upon the roof of a college building (including structures over building entrances) except when emergency access to a fire escape is necessary. Violations may be referred to the Conduct process.
Technology Resources	<p>Any violation of the University Technology Resources Appropriate Use Policy</p> <p>The computer systems shall be used in a manner consistent with directives of system administrators and directives of hardware manufacturers and software publishers.</p>
Theft	Intentionally or fraudulently taking property belonging to another person or entity without permission or consent.
Unauthorized Entry	Unauthorized entry into or use or defacement of University facilities, including residence halls including residence hall rooms, and other buildings and grounds, including roofs, ledges, balconies; unauthorized erection or use on University property of any structures including but not limited to tents, huts, gazebos, shelters, platforms, and public address systems.
Window and Window Screens	Unlatching windows, removing window screens, opening windows beyond 3 inches, throwing items from the windows or entering/exiting the building through a window.

## Violence

Category	Policy Explanation
Conduct Harmful to Others	Conduct directed to another including students, faculty and staff, that endangers the physical or psychological well-being of any person and/or creates a hostile academic or living environment which could include but not limited to hazing, stalking, intimidation, and/or coercion.
General Violence	Violence of any kind perpetrated on another person including rape, such as various sorts of physical assaults or interference of other's legitimate movement. Generally, it is university policy to remove alleged violent offenders until a hearing can be conducted. Removing a student from campus will be made by the appropriate university representatives/authorities with the totality of the circumstances considered. The university will not be responsible for housing or feeding a student removed from this campus.
Intimate Partner Violence	Intimate Partner Violence is often referred to as dating violence, domestic violence or relationship violence. Intimate Partner Violence is any act of violence or threatened act of violence against a person who, is, or has been, involved in a sexual, dating, domestic, or other intimate relationship with the Respondent.
Hazing	Any activity expected of a student joining a group, organization, or team (or to maintain full status) that humiliates, degrades or risks emotional and/or physical harm, regardless of the student's willingness to participate.
Non-Consensual Sexual Contact	Non-Consensual Sexual Contact is any intentional sexual touching, with any object or body part, by any person upon any person, without consent.
Non-Consensual Sexual Penetration	Non-Consensual Sexual Penetration is any sexual penetration, with any object or body part, by any person upon any person, which is without consent.
Retaliation	It is a violation of College policy to retaliate in any way against an individual because they raised allegations of sexual harassment or other forms of prohibited conduct. The College recognizes that retaliation can take many forms, including threats, intimidation, pressuring, continued abuse, violence or other forms of harm to others, and may be committed by or against an individual or a group, and that a Complainant, Respondent, or third party may commit or be the subject of retaliation.
Sexual Exploitation	Sexual Exploitation is taking non-consensual or abusive sexual advantage of another, for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.
Sexual Harassment	Sexual Harassment is unwelcome, gender- or sex-based verbal or physical conduct that is, sufficiently severe, persistent, or pervasive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the College's educational program and/ or activities, and/or complete employment responsibilities, and may be based on power differentials (quid pro quo).
Stalking	Stalking is governed by the Sexual Misconduct policy when it is sex or gender-based. Stalking is a course of physical or verbal conduct directed at another individual, that could be reasonably regarded as likely to alarm, harass, or cause fear of harm or injury to that person or to a third party.

Weapons, Firearms, Fireworks, Explosives & Other Dangerous Items	Possession or use of firearms, explosives, dangerous chemicals, or other dangerous weapons or instruments on University premises or use of any such item (This includes but is not limited to BB guns, Airsoft guns, switchblades and the like).
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### Dishonesty

Category	Policy Explanation
Cheating	Copying or attempting to copy from an academic test or examination of another student; using or attempting to use unauthorized materials, information, notes, study aids or other devices for an academic test, examination, or exercise; communication information in an unauthorized manner to another person for an academic test, examination or exercise.
Complicity	Helping or attempting to help another student to commit an act of academic dishonesty.
False Information	Knowingly supplying false information to the University, any University official, faculty member or office.
Forgery	Acts of dishonesty, including but not limited to the following: Forgery, alteration, or misuse of any University records, permits, documents, communication equipment, or identification cards and government issued documents.
Fraud	Falsification of information on University records or providing false or misleading information to University officials.
Plagiarism	Incorporating someone else's work or ideas into one's own work and passing it off as one's own.
Unauthorized Cooperation	Working in conjunction with another student on an assignment, test, or project meant for individual work.

### Laws

Category	Policy Explanation
Local, State and Federal Laws	<p>Actions prohibited under local, state and/or federal law are prohibited under Student Code of Conduct for Quincy University. The university, however, reserves the right not to adjudicate acts of nonviolent civil disobedience for reasons of conscious. Quincy University response need not await, depend upon, nor be constrained by any state provision for punishment or accountability process unless otherwise indicated in the Student Code of Conduct. Any student convicted of a crime maybe suspended or expelled by the university.</p> <p>The University reserves the right to contact parents/legal guardians of any student who violates any local, state or federal law. Students may be removed from the university pending an accountability hearing. The university will not pay the cost of housing or food during this time.</p>

**The University reserves the right to prohibit any item or activity deemed by University staff to be harmful, unadvisable, or not in the best interest of students or the University.**



# Residence Life Procedures

## On-Campus Living Area Room Entry

Quincy University reserves the right to gain entry to a student's room and living space for regularly scheduled health and safety inspections, to complete a facilities work order, in the event of a human or facility emergency, if concern exists for a student's wellbeing, or in the event of an alleged violation of any policy and/or Accountability Standard where access to the living space must be gained immediately. Any illegal items in plain view may be confiscated at the time of entry. Students will be held responsible for any items confiscated that is in violation of policy. If feasible university staff, or facilities workers should be accompanied by a co-worker.

## On-Campus Housing Search

Quincy University reserves the right to search any on-campus residential space if reasonable cause exists to believe a violation of any policy or Accountability Standard has occurred or is occurring. The following procedures will be followed in an on-campus housing search:

1. A search may be conducted without any or all residents present.
2. Reasonable cause is defined as a fact or circumstance existing where it is more likely than not an event or activity is occurring or has occurred or that specific items are present in the space to be searched, or there is a reasonable concern for student or community safety.
3. A search of a student's room may be made by authorized staff as directed by the Vice President of Student Development. In absence of the Vice President of Student Development searches can only be authorized through joint collaboration with the Director of Residence Life, and the Director of Safety & Security, or their designees. The search must be made with at least two University staff members present. At least one of the University staff members conducting the search must be the Vice President of Student Development, Director of Residence Life, or Director of Safety and Security, or a designee.

The other staff member may be a University Security Office, Graduate Assistant, or Resident Assistant.

4. An incident report will be completed for every search of any on-campus living area.
5. In the event a search is conducted, and prohibited items are confiscated, an itemized list of all items will be included in the incident report. Photographs of any confiscated items will be attached to the incident report.
6. If the search and subsequent confiscation of items should result in a policy or Student Handbook violation, the student/s will be held accountable through the Student Accountability Process.

## Community Living Agreement/Residence Hall Council

To encourage students who live in the residence halls to take ownership and responsibility for their living community, the Office of Student Development has incorporated community living agreements as a part of the foundation for residence hall policies. A community living agreement is a document that community members draw up together at the beginning of each year that enables them to become actively involved in developing the behavioral standards in which they will invest and be held accountable.

Students, within the first few days of their arrival, will sit down with the members of their community and develop a set of value-based criteria that each person on the wing or floor will agree to live by. Additionally, the agreement will be revisited at the beginning of each semester to allow for adjustments and changes. As each member of the community will sign the agreement, each member will be held accountable for the contents of the document that they had a part in developing.

The agreements include, but are not limited to, expectations of academic honesty, the creation of gracious space for students to express their feelings, opinions, & ideas, abiding by University and State policies surrounding alcohol and drug use, safety, personal property, respect and trust.

## **On-Campus Living Area Room Entry**

Quincy University reserves the right to gain entry to a student's room and living space for regularly scheduled health and safety inspections, to complete a facilities work order, in the event of a human or facility emergency, if concern exists for a student's wellbeing, or in the event of an alleged violation of any policy and/or Accountability Standard where access to the living space must be gained immediately. Any illegal items in plain view may be confiscated at the time of entry.

Students will be held responsible for any item/s confiscated that is in violation of policy.

## **LIFE IN YOUR RESIDENCE HALL**

In your new home you will find:

### **RESIDENCE HALL DIRECTORS (RDs):**

- Responsible for managing your residence hall.
- Supervise the RA.
- Work with the RA staff to develop programs.
- Prior experience as an RA.
- Assist residence hall coordinator with hall administration.

### **RESIDENT ASSISTANTS (RAs):**

- Are students just like you;
- Answer your questions;
- Help you with your academic, social or personal concerns;
- Plan programs and enhance policies and procedures;
- Help develop Community Living Agreements;
- Are a valuable resource. Get to know your RA!

## **CUSTODIAL STAFF:**

- Work diligently to clean your lobbies, bathrooms, and other public areas of the hall!
- Will clean your hallway, but not your room!
- They are NOT responsible for personal trash in the hallway or your room.

## **MAINTENANCE PERSONNEL:**

- Respond to your maintenance needs.

All of these specially trained staff are here for you and are to be treated with respect at all times.



# Residence Hall Charges

Category	Charge
<b>Trash</b> The following are chargeable: Emptying room trash into a bathroom trash can. Leaving trash in the hallways or stairwells.	\$75 minimum per student, per instance
Leaving trash in the lounges, kitchens and balconies, Emptying room trash into a lounge trash can. Pizza boxes not properly disposed.	\$150 per student, per instance
<b>Biohazards</b> The following are chargeable: Urine, feces, condoms or vomit Any matter found in the QU housing facilities. Depending on situation, this may become an investigation with security. <b>Blood</b> Any blood clean up in bathrooms, hallways, walls, carpet, lounges, etc.... If the incident was accidental and an attempt was made to clean up, no charge will occur.	\$75 per student, per instance
<b>Damaged Door Lock</b>	\$370
<b>Lost Key</b>	\$75 per key
<b>Missing Lounge Furniture</b> Furniture in public areas must not be removed. Each month, an inventory is taken of the community furniture. Items found missing will be billed to ALL residents living in that hall or on the floor as it pertains to the missing furniture. The following are approximate replacement costs for community furniture.	
<b>Couch:</b>	\$800—\$1000
<b>Love Seat:</b>	\$600—\$800
<b>Lounge Chair:</b>	\$500—\$700
<b>End Table:</b>	\$200—\$400
<b>Study Table:</b>	\$800—\$1000
<b>Room Cleanliness</b> All rooms will be inspected monthly for cleanliness. All students will have 24 hours to clean their room up to standard. If upon return the room is not cleaned, student will be assessed a housekeeping fine.	\$200 per instance
<b>Life safety equipment (fire extinguisher, smoke detectors, etc.)</b> Tampering fines per instance, per person. This includes covering smoke detectors.	\$50 (1st), \$100 (2nd), \$200 (3rd) etc.
<b>Replacement of QU Student ID</b>	\$25 per ID
<b>Parking Tickets</b>	Range from \$15-\$250
<b>Excessive Room Unlocks</b> Fall and Spring semester any student who needs their room unlocked because they have forgotten their key will be assessed a fee.	\$20 per instance

<p>The following are chargeable:</p> <p>Removing food from flooring, walls, ceilings, stair, etc.</p> <p>Removing sputum from walls, bathroom stalls, etc.</p> <p>Cleaning food, tobacco chew, excessive toothpaste, etc. out of sinks/water fountains.</p> <p>Cleaning graffiti off walls.</p> <p>Cleaning excessive shaving cream off sinks, stalls, floors, etc.</p> <p>Cleaning hair that was left behind from a haircut done in the bathroom.</p>	\$100 an hour minimum
Excessive Cleaning because of an animal	\$100 an hour and may incur cost of replacement of furniture, flooring, walls etc.
Littering on campus (trash, cigarette butts etc..)	\$100 per instance
Room Changes without authorization	\$200 and \$75 a night
Broken or missing furniture in individual room	Range from \$200-\$1000
Compromising the security of the building (ie. pebbling the doors, tampering with the key card entrance etc..)	\$50 (1st), \$100 (2nd), \$200 (3rd) etc. plus a sanction

\*\*Additional potential charges are listed in policy sections of the handbook.

# Student Accountability Process

The overarching philosophy of the Student Accountability Process is to educate students while at the same time holding them accountable to policies and standards of the University. Students who allegedly violate policies or standards of the University may be held accountable through the Student Accountability Process.

At the discretion of the Vice President of Student Development, a conduct hearing may go directly to the Vice President or their designee to be heard. The Student Accountability Process has three adjudicating bodies, which could be assigned to hold a student accountable for actions that allegedly violate policies or standards of the University. The assigned adjudicating body will depend on the severity and circumstance of the alleged violation.

Detailed information about an Administrative Hearing, Student Accountability Process Board Hearing, and a University Student Accountability Process Board Hearing follows below. A definition of terms is located on the last page(s) of this handbook.

## **Student Accountability Board**

Student Accountability Boards are composed of a cross-section of students who provide educational and developmental peer accountability. Members are selected each academic year through an application process conducted by Office of Student Development, and must be in good academic, labor and social standing.

Student A-boards to hear charges of residential and campus violations referred to the Accountability Team for processing. They have the authority to make decisions of "Responsible" or "Not Responsible," and sanction students accordingly. Should the A-board determine during the course of the hearing that a sanction of social probation is possible; the case will be referred to an Administrative Hearing Officer.

## **Administrative Hearing Officer**

A hearing officer conducts administrative hearings. The administrative hearing officer will review an alleged violation of policy and/or standards of the University and determine whether the student is responsible or not responsible for an alleged

violation and assigns sanctions when appropriate for a responsible finding.

## **University Accountability Board**

The University Accountability Board has original jurisdiction for all suspendable nonacademic cases of student misconduct, cases involving weapons, and in cases deemed by the President or his designee as being of an emergency in nature. In the absence of an actual case, UAB will not issue interpretations of the Student Conduct Regulations.

The University Accountability Board consists of five appointed faculty members, five appointed staff members, and five students appointed annually from the Vice President of Student Development.

Only 3 individuals will hear a case, 1 from each category. The participants for this board will rotate. The Vice President of Student Development, Director of Campus Programming and Residence Life, Director of Campus Safety and the Director of Housing Operations and Orientation are not eligible to serve on the University Accountability Board.

Appeals of University Accountability Board decisions will be referred to the Vice President of Student Development.

## **Summer Accountability Hearing Bodies**

During the summer terms, hearing bodies shall consist of a summer-term Student Judicial Board and Administrative Hearing Officers. Others may be appointed by the Vice President of Student Development to serve in this role as needed and appropriate.

## **Provisions and Procedures for Student Accountability Board, Administrative Hearing Officer and University Accountability Board**

### **Student Rights and Hearing Procedures Hearing Procedures**

At the beginning of the hearing, the Chair shall review the Student Rights and confirm that the accused student(s) are aware of them.

1. The hearing body shall use only facts and evidence relevant to the case at hand to make a decision of “Responsible” or “Not Responsible” for each charge. The standard for these decisions will be a preponderance of evidence (i.e. it is more likely than not that the alleged policy violation occurred).
2. If a student is found “Responsible,” the student’s previous disciplinary record will be provided to the hearing body prior to assignment of sanction.
3. Regardless of the hearing body, students are afforded the Student Rights provided in “Student Handbook: Provisions and Procedures for Student Accountability Board, Administrative Hearing Officer and University Accountability Board.
4. Charges must be presented to the accused student, in writing, 48 hours before the hearing unless the student waives, in writing, his/her right to a 48-hour notice.
5. Each student charged and the person(s) bringing the charge have the right to view incident reports, documentary evidence, and written testimony prior to the hearing.
6. Each student charged has the right of personal appearance before the hearing body except during deliberation and decision-making.
7. Each student charged and the person(s) bringing the charges have the right to hear and respond to testimony given at the hearing.
8. If charges are initiated by a complaint made by person(s) other than the Judicial Officer,

those person(s) may be present during the hearing, except during deliberation and decision-making.

9. Each student charged and the person(s) bringing the charges have the right to select a Personal Observer from within the University community (i.e. an enrolled student or University employee) to be present at the hearing except during deliberation and decision-making. Personal Observers attend but do not participate in the hearing or any subsequent appeal hearing]. There is a single level of appeal as a matter of right in all cases under the Accountability Process.
10. Prior to the hearing, each member of the Hearing Panel is required to sign a statement attesting to his or her ability to hear the case “without bias” and pledging to keep case- relevant information confidential. No contact with any party or witness in the case regarding the case is permissible.
11. Each Hearing Panel shall select a chair from among its members. Any member may chair the hearing. It shall be the duty of the chair to conduct the hearing in an orderly manner following these procedures. The Judicial Liaison shall advise the Hearing Panel on all questions of procedure.
12. No party or witness to the charge(s) being heard may sit on the Hearing Panel.
13. The Judicial Liaison will provide members of the Hearing Panel with the opportunity to review the charges, incident reports, documentary evidence, written statements,
14. and relevant sections of the Student Handbook prior to the hearing.
15. At the beginning of the hearing, the Judicial Liaison or the Hearing Panel Chair shall inform all parties to a case, including witnesses that all testimony must be the complete truth and that persons knowingly giving false testimony shall be liable to judicial action.
16. Each member of the Hearing Panel shall have a reasonable opportunity to question all parties and witnesses.
17. All hearings shall be closed to persons other than those provided for in these Procedures and those summoned by the Judicial Officer.

18. Cases involving two or more students shall be ordinarily heard jointly by the same Hearing Panel. The Judicial Liaison may, for good cause shown, grant separate hearings upon the written request of any of the accused.
19. Only facts and evidence relevant to the case at hand shall be used in determining whether the accused is “Responsible” or “Not Responsible” on the charges. If the student is found “Responsible” on the charges being heard, only previous disciplinary records shall be presented by the Judicial Liaison to the Hearing Panel prior to determination of penalties. Such records are excluded during the hearing and deliberations on responsibility.
20. The standard used to determine responsibility will be a preponderance of evidence, i.e., it is more likely than not that the alleged policy violation occurred.
21. Concurrence by a majority of the members of the Hearing Panel is necessary in order to reach a decision that the accused is “Responsible” or “Not Responsible” on each charge. If the concurrence of a majority of the Hearing Panel cannot be reached on a charge, the charge may, at the discretion of the Judicial Liaison, be referred to the Student Life Council.
22. The decision of a Hearing Panel, including any sanctions, shall be recorded on a Hearing Panel Decision Form provided for this purpose by the Judicial Liaison.
23. The decisions of Hearing Panels are final unless: (i) timely appealed and modified or reversed upon appeal; or (ii) subsequently reviewed and modified or reversed by the Vice President of Student Development and President of the University or the President’s designate.

charge of false testimony, accountability interference, or obstruction is finally determined to have occurred, the Vice President for Student Development shall be obligated to investigate whether such conduct had a material impact on the outcome of the original proceeding. The Vice President shall report such finding to the President of the University for such further action or proceedings as the President determines necessary to preserve the rights of the parties in the original proceeding.

### **Appeals Process for Accountability Hearings**

A student found “Responsible” during a hearing has the right to a single level of appeal. This appeal must be submitted within three days of the original decision to the designated Judicial Officer for the specific case, which will direct the appeal to the designated appellate authority, Vice President of Student Development or designee. An appeal of the original decision may be granted only if the appellate authority determines that:

- 1) the decision is manifestly unfair or unsupported by the testimony and evidence received at the hearing;
- 2) the hearing body failed to follow and apply designated policies and procedures and such failure resulted in material prejudice to the appealing party; or
- 3) one or more members of the hearing body were unfairly biased or acted with prejudice in a manner that affected the outcome of the case or violated the rights of the accused student to due process.

If the appeal is granted, the case shall be reheard, and the designated appellate authority will appoint a board to rehear the case.

Any student, who knowingly interferes with or obstructs the administration of the Accountability Process or gives false testimony before a Hearing Panel, in writing or in person, shall be subject to suspension for not less than one term. Under unusual or extenuating circumstances, the penalty may be reduced to a fine of not less than \$150, one-year probation, or both. In the event that a

# Student Accountability Process Sanctions

Students who are found responsible for violations of policies and/or standards of the University are subject to a variety of sanctions depending on circumstances of the violation. As with the overall Student Accountability Process, sanctions are meant to be educational. Punitive or monetary sanctions are given in some circumstances to cover costs incurred from a violation (e.g. the cost for repairing or replacing damaged University property).

The hearing boards and administrative hearing officers determine applicable sanctions for findings of responsibility in policy and/or standards violations.

The Vice President of Student Development reserve the right to immediately remove any student from his/ her on campus living space whose conduct indicates that his/her continued presence may be disruptive to the on campus living community.

Sanction	Definitions
Failed Assignment	Zero Credit for the assignment
Failed Course	Failing Grade for the Course
Redo the Assignment	Must redo the assignment as outlined by the faculty member by a specified date.
Community Service	You must complete _____ hours of community service. To arrange this service, please contact _____. You must complete your hours and return your signed service form to this office no later than _____.
Counseling Assessment	You are required to make an appointment to see Counseling Services by DATE. After an evaluation, an appropriate treatment recommendation may be made. The outcome of this referral is confidential, but you must provide proof of attendance.
Fine	You must pay a _____ fine to the Office of Student Development by _____. If you fail to pay the fine by the due date, it will be automatically placed on your student account.
Loss of Privileges	You have lost all University privileges until _____.
No Contact	There is a mutual "no contact" order between you and _____. You are directed to avoid contact with each other until such time as this order is lifted in writing. This mutual "no contact" order does not imply any judgment regarding the factual nature of the incident. Both you and _____ refrain from approaching one another, calling one another at any time, contacting one another via any electronic communication method, or contacting or communicating with one another through a third party. Should you need to contact you must do so through Director of Security or Vice President of Student Development.
Parking Loss	Loss of campus parking privileges when habitual violations or other related parking issues have been identified by the Accountability Team. Loss or privileges will be a minimum of the remainder of the semester, but could be as long as the entirety the student's tenure at the University.

Student Accountability Process Warning	A student found responsible of a minor violation of policies and/or University standards may be given a warning. Should the student continue the behavior, the conduct will be referred to a student accountability board for further sanctioning.
Student Accountability Process Probation	A student found responsible of a more serious violation of policies and/or University standards may be placed on Student Accountability Process Probation. The length of probation may range from three months to one calendar year. During probation the student, while remaining regularly enrolled, must prove qualified to return to good standing. The student's return to good standing is normally automatic provided there have been no further violations of Student Accountability Process. If the student is found responsible for other Student Accountability Process violation/s while on Student Accountability Process Probation, further action may be taken, including but not limited to removal from University housing, Student Accountability Process Deferred Suspension, Suspension or Dismissal. Should violation/s occur following the completion of Student Accountability Process Probation, the student's prior status on Student Accountability Process Probation will be considered.
Deferred Suspension	A student found responsible of a more severe Student Accountability Process violation he/she may be placed on Deferred Suspension. The length of Deferred Suspension may range from the remainder of the current semester to one calendar year. During Deferred Suspension, the student, while remaining regularly enrolled, must return to good standing. Academic advisors will be notified when a student has been placed on Deferred Suspension. At the end of the deferred suspension period, the University may choose to hold a University Accountability Board hearing to review the student's case. Based on information presented at this hearing, the board may choose to continue Deferred Suspension, place the student on Student Accountability Process Probation with additional educational sanctions or place the student on Suspension.

<p>Suspension No refund on tuition, housing, or meal plans will be given.</p>	<p>Suspension is a separation from the University for a student found responsible of a severe and/or multiple Student Accountability Process violation/s and/or repeated violations. When a student is suspended from the University, the student will leave the University with a specified date and/or condition for re-admittance. The minimum period of suspension is the remainder of the current academic year. The student, on their re- admittance, must meet with the Vice President of Student Development to determine his/her standing with the University. Students returning after a suspension may be placed on a deferred suspension or a probationary status. A second suspension of the student is considered grounds for dismissal from the University.</p> <p>Conditions of suspension include:</p> <ol style="list-style-type: none"> <li>1. Unless otherwise instructed, the student must move off campus within 24 hours from the time of the hearing.</li> <li>2. The student will immediately be removed from all classes.</li> <li>3. The student may not return to campus until the suspension has concluded.</li> <li>4. A copy of the letter of suspension is placed in the student's file and remains a part of his/her permanent file in the Office of Student Development.</li> </ol>
<p>Temporary Suspension:</p>	<p>Cases in which it is deemed necessary by the Vice President of Student Development, in consultation with the President, a student who poses a threat to person, property or academic environment, or when a student's physical or mental condition requires services beyond the normal and reasonable scope of University capability, the Vice President of Student Development may impose immediate temporary suspension pending a hearing or appropriate resolution of the student's condition based on facts presented to the Vice President and at their discretion. The terms of the temporary suspension will be stated in writing and may involve either complete or partial suspension. At the end of the temporary suspension period, the University may choose to hold a University Accountability Board hearing to review the student's case.</p>
<p>Involuntary Withdrawal</p>	<p>Involuntary Withdrawal is used instead of suspension in cases when a student's Accountability Standard violation is the result of behaviors listed in the University's Involuntary Withdrawal Policy.</p>
<p>Dismissal from the University</p>	<p>In cases of severe and/or multiple violation/s of Student Accountability Process, dismissal from the University is necessary. No specified date or condition of re-admittance is given. No refund is given. All documentation of the dismissal will be part of the student's record.</p>
<p>Removal from On-Campus Housing</p>	<p>A student who is found responsible of a serious Student Accountability Process violation and/or repeated violations may be required to move to another residence hall or be removed from campus housing. A student who is required to change rooms will be assigned to a new location and given a date by which the move must be completed.</p>

\*\*These are not all sanctions available or possible for students that violate University policies or Student Accountability Policies.



# Alcohol and Other Drug Violation Sanctions

Possible sanctions for alcohol or drug policy violations are listed below. The level of sanction imposed is at the discretion of the hearing officer or hearing board, based on the incident.

**Use/Possession/Contributing** - use or possession of alcohol by minors, by anyone in a building or area designated as alcohol free or providing/purchasing alcohol for a minor

1st Violation: disciplinary probation, community service, parental notification, assessment at Health and Well-Being Clinic, alcohol education class, educational initiative, and/or reflection paper

2nd Violation: community service, parental notification, assessment at Health and Well-Being Clinic, alcohol education class, educational initiative, and/or reflection paper, probation

3rd Violation: deferred suspension (from housing and/ or University), parental notification, assessment at Health and Well-Being Clinic, alcohol assessment, educational initiative, and/or reflection paper

4th Violation: suspension from housing and/or University, upon return to campus housing and/ or University, counselor intervention, alcohol assessment, educational initiative, and/or reflection paper

## Other Drugs

1st Violation: Deferred suspension, community service, assessment at Health and Well-Being Clinic, parental notification, educational initiative, reflection paper, removal from campus housing or relocation to another campus living space, and/or random room searches.

2nd Violation: Suspension, parental notification, assessment at Health and Well-Being Clinic, community service, counselor assessment, parental notification, educational initiative, reflection paper, removal from campus housing or relocation to another campus living space, and/or random room searches

## Enforcement of Sanctions

No person, except the President of the University, has the authority or right to change a sanction imposed by the Student Accountability Process. The Office of Student Development will enforce the sanction. Only the Vice President of Student Development may postpone the effective dates of sanctions. Postponements must be granted in writing and noted in the student's file.

All sanctions are effective immediately. Sanctions of suspension or dismissal will not be in effect, if an appeal is filed, until after the appeal has been heard. A student may be subject to temporary suspension pending the outcome of any appeal. If the appeal is denied, the suspension or dismissal will be effective immediately.

# Consumer Disclosures

Quincy University will announce to students, staff, and faculty on or before October 1st of each year that the campus safety and security report and the fire safety report as required by the Clergy Act through the U.S. Department of Education has been completed and is available for viewing. The report will be made available through the University website or in printed version upon request to the Director of Safety and Security. The Director of Safety and Security is responsible for completing this report annually.

The University will provide to prospective students and employees a statement of the safety and security report's availability, a description of the content, and the opportunity to request a copy. This information is available to perspective students via the admission's application.

The University encourages prompt reporting of events that may affect the safety and security of the community. Events that have already occurred and are not in progress should be reported by contacting the Security office in person (First Floor- Friar's Hall East) or by calling the campus security officer on duty at 217-228-5600. Events that are in progress and require emergency response should be called in directly to 9-1-1. Criminal events may require collaboration with or inclusion of appropriate law enforcement authorities. The Director of Safety and Security will be notified of such circumstances without delay.

The Director of Safety and Security will review any such reported events and evaluate the need for any timely warnings to the community as may be required. The director will do this in consultation with the Vice President of Student Development. Warnings may be issued by using the campus emergency notification system, by e-mail notification, or by other method as deemed appropriate.

Security officers on duty will respond to any such calls for service without delay. In the event of multiple calls for service being received, the officer(s) will prioritize response by those events that may be life threatening, exposes members of the community to physical harm or danger, or damage to property-in that order.

University security officers are non-sworn employees and as such have no official law enforcement authority. Officers are encouraged to establish positive, professional working relationships with officers and/or deputies that respond to or may be working special events on campus. The Director of Safety and Security is responsible for establishing ties with and open lines of communication with local, county, state, and federal law enforcement agencies. Through these ties and relationships, the Director of Safety and Security will monitor for any students involved in off-campus criminal behavior. Students will be held accountable for such behavior as is required by the Student Handbook.

The Security department is responsible for the daily opening and closing of campus facilities. Any after-hours access by students will be handled by the on-duty security officers and may or may not be granted based on a case-by-case review of the circumstances. Facility employees will generally have access to buildings as required to attend to their respective duties. Facility employees will be vetted prior to employment, and their accesses will be determined by the Director of Facilities in consultation with the Director of Safety and Security.

The Director of Safety and Security will be responsible for presenting a program to inform students and employees about safety procedures on campus. This program will be presented no less than annually and is encouraged to take place at the beginning of the fall semester. This program will focus on safety procedures as well as provide strategies that will encourage students and employees to be responsible for their own security and the security of others. This program will further include crime prevention information and strategies. Students will be made aware of Illinois state law regarding the possession, use, and illegal provision of alcoholic beverages or drugs and other applicable underage drinking laws. This program will also identify for students' drug or alcohol abuse education programs and/or counseling available through the University Counseling Center. The University will provide

information on the Security website to access the State of Illinois Sexual Offender Registry by the following link: <http://www.isp.state.il.us/sor/> The website may be used to access information on registered sex offenders and their proximity to the University.

The University Security Department works cooperatively with Counseling Services in the event of student becoming involved in a sexual assault investigation. School and community resources are readily available and in place to assist in the recovery of a student should they become a victim of a sexual assault. Each event will be investigated as appropriate. Every effort will be made to bring in authorities with investigative jurisdiction.

Security officers responding should be cognizant of date, time, and place of the assault, any items of evidentiary value, as well as possible witnesses. Students identified as being culpable for a sexual assault may face not only legal ramifications but may also face University conduct violations and sanctions.

Procedures for conduct hearings established by the University will be strictly adhered to. The University will, upon written request, disclose to the alleged victim of any crime of violence or nonforcible sex offense the results of any disciplinary proceeding conducted by the University against the alleged perpetrator of such crime or offense.

Upon being made aware of a missing student, the University Security department will launch an immediate investigation. The faster an investigation takes place in these matters, the greater the chance for a successful resolution. In cases where foul play or student endangerment is of concern, police authorities will be summoned without delay. The Director of Safety and Security will be informed of the investigation as soon as practical.

A "Daily Crime and Fire Log" will be kept by the Security Department. This log is kept within the University's report writing system. Any crimes, fires, or events of concern will be documented and placed within the report writing system. The event as documented must include the nature, date, time, and general location of the crime or event and the disposition of the investigation if known. The report writing system is available to all security officers as well as select Student Development staff to include Resident Assistants. Additionally, events not meeting the criteria for a report, but of operational importance may be forwarded by e-mail to the Director of Safety and Security, the Assistant Director of Safety and Security, the Vice President of Student Development, and the Director of Campus Programming & Residence Life. A summary of the crime log will be made available to the public for inspection upon request. The University reserves the right to redact information whose release would violate federal confidentiality requirements relating to students and their records.

# Statement of Responsibility

This handbook is not to be construed as a contract. The University reserves the right to change policies, procedures and regulations to protect students, protect the University, and/or adhere to best practices. These changes can be made at any time and will take effect when the administration determines that such changes are prudent. Students will be notified of changes in a timely manner through Quincy University email. Students are responsible for reading this handbook, official announcements, and notices posted

on bulletin boards, Quincy University emails, and campus mail and otherwise to be informed completely in regard to information related to their role as a student at Quincy University. Ignorance of information contained in the Quincy University Student Handbook and the Academic Catalog is not an excuse for lack of accountability of policies and procedures.

Any alleged violation of policies stated or referred to in this handbook may result in accountability through the Student Accountability Process.

# Notice of Non-Discrimination

Quincy University is committed to providing equal opportunity to all qualified individuals in its employment and personnel practices, and its admission, education programs and activities, and treatment of students which will assure that there will be no discrimination against any person based on race,

religion, age, ethnic or national origin, gender, disability, veteran status, marital status, sexual orientation, or political persuasion. Decisions on employment and admission are made on the basis of the qualifications of the individual for the position being filled.

# Definition of Terms

**Accountability Decision Form:** The Accountability Decision form is created by the Accountability Liaison after the final outcome has been decided by the Board presiding over the hearing. The form details the charges, responsibility outcome, sanctions, appeal information and the signatures of the board members and the student being charged in the hearing.

**Accountability Hearing Notification:** The Accountability Hearing Notification, is an e-mail notification by the Accountability Liaison assigned to the case. This notification details the summary of the incident at hand, the charges assessed to the student, date and time of hearing and more information on how and when to meet with the Liaison to over hearing details and review of evidence and procedures.

**Board Chair:** The Board Chair is one member of the three-person Board that will facilitate the hearing. This person is responsible for not only the facilitation of the hearing procedures but also ensuring the participants all understand their rights and responsibilities as related to their role in the hearing.

**Business Day:** Any calendar day other than a Saturday, Sunday, or any day the University is officially closed for business.

**Complainant:** Any person who submits a report to the university that alleges that a student has violated the Student Code of Conduct.

**Community Standards Board:** A group of University faculty, staff, and students, who have completed a rigorous training program to preside in a community standard hearing and make findings as to whether a student has violated the Student Code of Conduct.

**Community Standards Conference (Initial Review):** A Respondent's initial meeting with a Community Standards Officer to discuss the alleged Code of Conduct violation(s), Respondent's response, and a possible informal resolution.

**Community Standards Hearing:** A formal proceeding held to determine whether a student has violated the Student Code of Conduct and to impose sanctions when it is determined that a violation of this Code has been committed.

**Community Standards Hearing Officer:** A University staff member designated to coordinate the student conduct process, which includes, but is not limited to, holding a community standards conference, reaching an informal resolution with a respondent, and explaining the community standards process to complainants and respondents. Additionally, they may preside in a community standard hearing and make findings as to whether a student has violated the Student Code of Conduct.

**Confidentiality Statement:** This is a statement signed by all participants in any hearing to ensure privacy of all parties involved in the hearing. No Board member or Accountability Officer or Liaison can discuss the case with any outside parties of the Accountability process.

**Neutrality Statement:** The Neutrality statement is a document that has to be signed by all Board Members stating that there is no bias or impartiality to the student being charged in the hearing.

**Personal Observer:** In every hearing, the accused student(s) has the right to have a personal observer in their proceedings to simply observe the procedures. Personal observers are not allowed to partake in the hearing but simply observe in the hearing. No communication can be allowed between the personal observer and the accused student during the hearing. Personal observers can only be currently employed faculty or staff or a current student of their choice. All personal observers will have to sign confidentiality statements and will also be given their rights and responsibilities in the hearing.

**Plea Form:** The Plea form is a document used inside of the hearing for the accused student to record their plea of responsible or not responsible for each charge attached to that specific student in question. When one student is involved a verbal plea will be made which is recorded by the Liaison, however if more than one student is charged, then plea forms will be used to respect the privacy and confidentiality of each student involved in the hearing.

**Preponderance of the Evidence:** The standard of proof used to determine the findings of a community standards case. Preponderance of the evidence means that the statements and information presented in the case must indicate to a reasonable person that it is more likely than not that the Respondent committed a violation.

**Respondent:** Any student who has been accused of violating the Student Code of Conduct.

**Student:** For purposes of this Code of Conduct, any person who accepts admission to Quincy University and is eligible to enroll in classes without reapplying to the University. Such student status begins at the time of acceptance of admission and continues until such time as the student graduates or otherwise completes the relevant program, formally and permanently withdraws, or is expelled. This includes, but is not limited to, new students at orientation, persons not currently enrolled but who are also pursuing a degree or other program from Quincy University, students on a leave of absence, persons currently under suspension, and any other person enrolled in a course offered by Quincy University, whether or not for credit. In the event of serious misconduct committed while enrolled, but reported after the respondent has graduated, the University may invoke these procedures, and should the former student be found responsible, the University may revoke that student's degree.

**University:** Quincy University, including all of its campuses and online programs.

**University Accountability Board:** The University Accountability Board is the final hearing body in the Accountability structure. This board has jurisdiction of all cases related to felony violations, weapons and other acts of violence. This board has the ability to recommend suspension and expulsion.

**University Official:** Any person employed by the University, performing assigned administrative or professional responsibility.

**University Property:** All land, buildings, facilities, and other property, including, without limit on, personal property, in the possession of, or owned, used, or controlled by the University.

