



**Indiana University  
of Pennsylvania**

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**A Student Policy Guide  
2013-2014**

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# ACADEMIC INTEGRITY POLICY AND PROCEDURES

Office of the Provost 724-357-2219

<http://www.iup.edu/registrar/catalog/default.aspx>

(refer to Academic Policies in the undergraduate catalog)

## I. Academic Integrity Policy and Procedures

The university's academic integrity policy is part of an ongoing effort to develop a community where trust, honesty, ethical principles, and personal integrity guide interactions with others, thereby providing for orderly academic and scholarly processes. The following policy and procedures have been established to preserve the academic integrity of the university community, while also providing a process that provides opportunities for students to respond to allegations that the policy has been violated.

## II. Policy

### A. Types of Violations. Violations of academic integrity include, but are not limited to, the following:

1. Providing or receiving unauthorized assistance in coursework; with lab work, theses, and dissertations; or during examinations (including qualifying and comprehensive exams) or quizzes.
2. Using unauthorized materials or devices, such as crib notes, during examinations or quizzes.
3. Plagiarizing papers, theses, dissertations, essays, reports, speeches and oral presentations, take-home examinations, computer projects, or other academic exercises by misrepresenting or passing off the ideas, words, formulas, or data of another as one's own. Plagiarism is dishonest and illegal. Writers are indebted to authors from whom they borrow exact words, ideas, theories, opinions, statistics, illustrative material, or facts (beyond common knowledge). Writers are also indebted if they summarize or paraphrase in their own words material from sources. All quoted material requires the acknowledgment of the source by the use of quotation marks or indentation (if exact wording is incorporated). In addition, both directly quoted and summarized material must be acknowledged by use of a note or parenthetical citation that indicates the author and/or date of publication and page number or numbers. If the writer indents a quotation, it must be clearly set off from the body of the text and must be documented in the aforesaid manner. To verify the various documentation procedures, writers should consult the style sheet in the particular discipline for which they are preparing the assignment (MLA, APA, Chicago, BC, etc.).
4. Using the same paper or work more than once without authorization of the faculty member to whom the work is being submitted.
5. Possessing course examination materials before the administration of the exam, without the prior knowledge or consent of the instructor.
6. Intentionally evading IUP academic policies and procedures, for example, improperly processing course withdrawals, grade changes, or other academic procedures.
7. Falsifying information, including falsification/fabrication of research data and/or statistical analyses, forging signatures on various forms and documents, or altering or adding answers on academic exercises or exams after work has been graded. INDIANA UNIVERSITY OF PENNSYLVANIA UNDERGRADUATE CATALOG, 2009-2010 Page 33
8. Computer dishonesty as addressed by university computing policies including, but not limited to: using or attempting to use computing accounts or other information for which the student is not authorized; providing false or misleading information to obtain a computing account or access to other information resources; attempting to obtain information resource access codes (usernames, passwords, PINs, etc.) for another user's computing accounts; sharing information resource access codes (usernames, passwords, PINs, etc.) with other individuals; attempting to disguise the identity of a computing account or other information resource; using or attempting to use university network resources to gain or attempt to gain unauthorized access to remote computers including, but not limited to, port scanning; violating the terms of intellectual property rights, in particular software license agreements and copyright laws; using information resources to monitor another user's data communications or to read, copy, change, or delete another user's files or software without permission of the owner; using or installing or attempting to use or install software not properly licensed.
9. Noncompliance by failure to comply with previously imposed sanctions for academic violations under this policy.
10. Class behavior which significantly disrupts the learning process or is a threat to others.
11. Buying, selling, stealing, or engaging in unauthorized exchange of, or improperly using, any assignments, papers, or projects.
12. Making fraudulent claims to gain academic credit or to influence testing or grading.

The university reserves the right to discipline any student for the above policy violations and any other action that an ordinary, reasonable, intelligent college student knows, or should know, might lead to the issuance of discipline. This means the university maintains the right to issue discipline for reasonable cause.

Charges of academic integrity violations may be brought by a faculty member or administrator. Students who observe or become aware of a violation of academic integrity by another student are strongly encouraged to report it to a university official. A faculty member/administrator who believes that a student has violated an academic policy may elect to resolve the matter by Informal Resolution, by Documented Agreement, or by Formal Adjudication. *Sanction(s) may not be imposed upon a student believed to have violated an academic policy without following one of these three procedures.*

If charges are brought, the accused student shall have a fair and reasonable opportunity to answer, explain, and defend against the charges. The university shall have the burden of proof in all cases.

### III. Procedures

- A. **Options for Resolution.** A faculty member or administrator must use one of the following options to resolve alleged violations of academic integrity:
1. **Option I: Informal Resolution.** The faculty member/administrator shall notify the student of the charges and schedule a meeting within ten calendar days of the observation or discovery of the incident and agree at such meeting to resolve the issue without submitting any formal documentation. If the violation pertains to work being judged or that has been judged by a committee (examples might include dissertations, theses, and comprehensive examinations, both oral and written), the meeting must involve a majority of the committee and the resolution must be agreed to by a majority of the committee. It is in the interest of the faculty member/administrator and student to complete a statement that summarizes the incident, meeting, and agreed-upon resolution. The factual statement should be signed by both parties and copies provided to the student and the faculty member/administrator. By resolving the charges informally, the student waives his/her right to appeal sanctions which have been agreed upon in the resolution process. If agreement cannot be reached, or if, at the discretion of the faculty member/administrator, a more formal process as outlined in this policy is appropriate, the formal process will be initiated by the faculty member/administrator. No formal record is kept if the case is satisfactorily resolved at this level.
  2. **Option II: Resolution by Documented Agreement**
    - a. If no resolution is reached under Option I, or if the faculty member/administrator deems this step to be more appropriate, the faculty member/administrator will schedule a conference with the student in an attempt to reach a mutually agreeable resolution. This conference must be scheduled/requested within ten calendar days of the observation or discovery of the alleged violation or of the failure to resolve through Option I. If an agreement is reached, the faculty member/administrator must complete a Documented Agreement Referral Form outlining the agreement and have it signed by both parties: faculty member/administrator and student. If the violation pertains to work such as a thesis or comprehensive examination being judged or that has been judged by a committee, the conference must involve a majority of the committee and the Documented Agreement Referral Form must be agreed to and signed by a majority of the committee and the student. Copies are distributed to the student, the faculty member/administrator filing the agreement, the department chair, and the Office of the Provost. The Office of the Provost will file the official documents with the Office of Student Conduct. The form must be filed within ten calendar days of the conference.
    - b. By signing the agreement, the student waives the right to appeal the sanctions agreed upon in the conference. If the student fails to fulfill the written agreement, the faculty member/administrator may file an academic integrity referral against the student for noncompliance.
    - c. If a prior academic integrity violation for the student is on record, the matter will be referred to an Academic Integrity Board (see section D, Multiple Violations).
    - d. If a documented agreement is not reached, the faculty member/administrator shall initiate the formal adjudication process by filing an Academic Integrity Referral Form with the department chair, within ten calendar days of the conference with the student.
  3. **Option III: Resolution by Formal Adjudication.** A faculty member/administrator should pursue formal adjudication if:
    - he/she cannot reach, or chooses not to attempt, a mutually agreeable resolution with the student regarding the facts of the case or sanctions to be imposed
    - he/she believes that the violation is so severe that it warrants the following sanctions:
      - \* awarding a failing grade on a project or exam (such as a graduate qualifying for a comprehensive exam or dissertation) when resubmitting the project or retaking the exam is not possible
      - \* involuntary withdrawal from part of IUP's academic or other programs
      - \* suspension
      - \* expulsion
      - \* rescission of a conferred degree
- a. The faculty member/administrator should file an Academic Integrity Referral Form with the department chair, within ten calendar days of the observation or discovery of the violation or within ten calendar days of the failure to reach a resolution through Option I or Option II. If the violation pertains to work being judged by a committee, the form must be signed by a majority of the committee. The form will contain a description of the alleged violation, including the time, date, and place of occurrence, and the recommended sanction if the student is found to have violated this policy.
  - b. The department chair will forward a copy of the Academic Integrity Referral Form to the student, within ten calendar days of receiving notification of the allegation, and contact the student to schedule a hearing to review the facts surrounding the allegation and recommended sanctions if the student is determined to have committed a violation. Page 34 INDIANA UNIVERSITY OF PENNSYLVANIA UNDERGRADUAT CATALOG, 2009-2010
  - c. The hearing should be scheduled so as to allow the student a reasonable time to prepare a defense (within ten calendar days of being notified of the allegation by the department chair).
  - d. This hearing will involve the student, the department chair, and the faculty member/administrator, and in the case of a graduate student, the dean of the School of Graduate Studies and Research (or dean's designee); all parties may invite

others with pertinent information. The student and the faculty member/administrator must be given the opportunity to submit and review written, physical, and testimonial evidence, and to question witnesses.

- e. The accused student may identify an advisor, who may be an attorney, to be present at the hearing. The advisor may only consult privately with the student.
- f. The student may waive his/her right to a hearing in writing. If so, the sanction recommended by the person filing the referral will be imposed unless the sanction is suspension, expulsion, or rescission of a degree. Suspension, expulsion, or rescission of a degree must be implemented by the president's designee.
- g. If the accused student receives proper notification of the hearing and fails to appear when the hearing has been scheduled, the hearing will be held in the student's absence and the department chair will render a decision based upon information presented by the faculty member/administrator.
- h. Following the hearing, the department chair will render a determination based on the information presented at the hearing. Within ten calendar days of the hearing, the department chair will forward a written report summarizing the hearing that includes the outcome, the factual basis for the determination reached, the sanction to be issued, and the appeal procedures. The original report is sent to the student with copies to the faculty member/administrator and Office of the Provost. The Office of the Provost will file the official documents with the Office of Student Conduct.
- i. In the event that a department chair cannot or will not fulfill the above role, or in the event that the person filing the referral is an administrator or department chair, the provost/ designee will determine the appropriate individual to fulfill the department chair's role and inform the student and the faculty member/administrator filing charges within ten calendar days of receiving notification of the allegation.
- j. If a prior academic violation for the student is on record, the case must be referred to the Academic Integrity Board (see section D, Multiple Violations). Otherwise, if there is no appeal, the recommended sanction will be imposed.

#### **B. Academic Integrity Board (AIB)**

The AIB may be asked to hear cases filed at Option III: Resolution by Formal Adjudication. In addition, the AIB will hear all cases in which appeals to the chair's decision are accepted by the provost/designee (see sections C.1. and C.2., Appeals). The AIB will also review sanctions in cases of multiple violations (see section D).

1. For graduate-level hearings and reviews, the AIB will be made up of four (4) faculty members, one of whom will chair the board, and two (2) graduate students. For undergraduate hearings and reviews the AIB will be made up of four (4) faculty members, one of whom will chair the board, and two (2) undergraduate students. A quorum requires the presence of four persons, at least one of whom must be a graduate student (for cases at the graduate level) or an undergraduate student (for cases at the undergraduate level). All members, including the chair, are voting members.
2. When an AIB hearing is called, the AIB will be convened by the provost/designee. The accused student shall be notified of the time, date, and place of the hearing and the names of those AIB members scheduled to review his/her case. If the hearing is an appeal, this notification will also include details of the charges, including the time, date, and place of the alleged offense(s) and the recommended sanction(s). If the hearing is a review of sanctions in a multiple-violation case (see Section D), the notification should also indicate that more severe sanctions might be imposed. The hearing should be scheduled no sooner than ten calendar days from the date of notification to the student.
3. No later than three days prior to the date of the hearing, a student appearing before an AIB may, with good cause, provide written notice of any challenge to any member on the board sitting in judgment of his/her particular case. In counting the three days, weekends and official school holidays will not be included. When such a challenge is made, an alternate member will be appointed to the AIB. Failure to give proper notice of a challenge shall be a waiver of the right to make the challenge at any time during the hearing.
4. The AIB will review all material and hear all evidence pertinent to the case from the accused and all witnesses. Members of the AIB shall be free to ask relevant questions to clarify information or resulting issues.
5. The AIB will hear evidence appropriate to the nature of its review (see section C, Appeals).
6. The student shall have a fair and reasonable opportunity to answer, explain, and defend against information and witnesses' statements presented at the hearing. The student shall also have the opportunity to submit written, physical, and testimonial evidence and to call relevant witnesses on his/her behalf.
7. The accused student may identify an advisor, who may be an attorney, to be present at the hearing. The advisor may only consult privately with the student.
8. After hearing all evidence, the AIB will privately make its decision based upon the evidence presented and within the scope of its review. A majority vote of the AIB shall be required for any decision. If the AIB finds that the student more likely than not committed the misconduct or infraction, and the student has no prior academic violation on record, it may accept, reduce (but not increase), or modify the recommended sanction. If the student does have a prior academic violation on record, the AIB may increase the recommended sanction (see section D, Multiple Violations).
9. If the student waives his/her right to a hearing in writing, or chooses not to appear at the AIB hearing, the case will be adjudicated based upon the evidence presented at the scheduled hearing.
10. All hearings are closed unless the student requests an open hearing in writing. The AIB chair has the authority to make the final decision regarding access of spectators to the hearing.
11. The AIB must submit a written report of the decision within ten calendar days to the provost/designee, who will forward the decision to the involved parties.

### C. Appeals

These appeal procedures apply to cases resolved through formal adjudication. Cases of academic integrity that are resolved through Informal Resolution or Documented Agreement cannot be appealed.

1. If, after receiving the department chair's report on the outcome of the hearing, the faculty member/administrator or the student disagrees with the decision, the sanction, or both, he/she may appeal to the provost/designee within ten calendar days of receiving the report. This appeal must be in writing and describe in detail the grounds for the appeal. These reasons may include the following:
  - a. Denial of a fair and reasonable hearing
  - b. New evidence (applies when there is an acceptable reason why the information was not presented at the original hearing)
  - c. Excessively harsh sanctions
2. The provost/designee may deny the appeal or direct the appeal to be heard by an AIB within ten calendar days. All appeals involving sanctions of involuntary withdrawal from part of IUP's academic or other programs, suspension, expulsion, or rescission of a degree will be heard by an AIB.
3. Unless the recommended sanction is suspension, expulsion, or rescission of a degree, the decision of the AIB is final and will be implemented by the provost/designee.
4. Suspension, expulsion, or rescission of a degree may be recommended by the AIB but can only be implemented by the president's designee, who is responsible for verifying that due process was followed.

### D. Multiple Violations

1. Information about prior violations is not relevant to determining whether a student violated the policy in the current case. However, such information is pertinent in determining the appropriate sanction.
2. If a student is found in violation of academic integrity two or more times, all materials within the student's past and present academic integrity files shall be used in determining appropriate sanctions. Students with multiple academic integrity violations of record may be subject to additional sanctions, including possible suspension or expulsion from the university.
3. For cases previously resolved by documented agreement or through formal adjudication at the department chair's level, an AIB hearing will be scheduled. This hearing will review all information pertinent to the determination of an appropriate sanction but will not reconsider the issue of whether the policy violation occurred. After considering the severity of the current and prior violations, the AIB may determine that a more severe sanction is appropriate.
4. The AIB should request information on prior violations only after determining that a violation has occurred. Information on prior violations should be used in determining the appropriate sanction.
5. The AIB must submit a written report of the decision within ten calendar days of its decision to the provost/designee, who will forward the decision to the involved parties.
6. The student may appeal any new sanction to the provost/designee. The provost/designee may deny the appeal or, on the basis of denial of a fair and reasonable hearing, new evidence, or excessively harsh sanctions, direct the appeal to be heard by a second AIB.

### E. Sanctions

1. The following sanctions may be agreed upon by the student and faculty member/administrator through Informal Resolution or Documented Agreement. All grade reductions require the approval of the instructor of record. If the work is graded by a committee, a grade reduction requires the approval of the majority of the committee.
  - a. Single Grade Reduction: Reduction of grade or failure on project, examination, quiz, or other academic exercise on which the student is alleged to have cheated.
  - b. Course Grade Reduction: Reduction of course grade or failure in the course. If the violation involves a project spanning multiple courses (such as a dissertation or multiple semester internship), the grade reduction may apply to all courses involved.
  - c. Constructive or Educational Task: A task which requires the student to examine his/her dishonest behavior and which may benefit the student, campus, or community.
  - d. Other: Sanctions deemed appropriate and tailored to a specific violation as determined by the faculty member/administrator. Any reasonable sanction or combination of sanctions for a given violation may be agreed upon by the student and faculty member/administrator.
2. In addition to the above, the following sanctions may be imposed through formal adjudication.
  - a. Letter of Warning: A warning letter may be issued indicating that the student has been found in violation of an academic policy and that failure to comply with policies in the future may result in further disciplinary action to be handled as a second offense. The letter of warning will remain in effect for a period of time as specified by the individual or board hearing the case.
  - b. Disciplinary Probation: Disciplinary probation, which is for a period of time specified by the individual or board hearing the case, is an indication that a student's status at the university is seriously jeopardized. If the student is found in violation of another IUP policy during the probationary period, a more serious sanction will be levied, including possible involuntary withdrawal from part of IUP's academic or other programs, suspension, or expulsion from the university.
  - c. Involuntary withdrawal from part of IUP's academic or other programs: A student may be denied the right to participate in some segment of IUP's programs. Such involuntary withdrawal might be imposed on either a temporary or permanent basis.
  - d. Rescission of a degree: A student may have his/her degree rescinded if found to have plagiarized or not to have conducted his/her own research on his/her undergraduate thesis, graduate thesis, or graduate dissertation.
  - e. Suspension: A student may be suspended from the university for a specified period of time, not to be less than the remainder of the current semester. Suspension requires that a student remove himself/herself from university

premises, not attend classes or social activities, and not be present on university or Student Cooperative Association property during the period of suspension.

- f. Expulsion: Expulsion may be considered under any of the following circumstances: when there is a very serious violation of the Academic Integrity Policy, when a student is proven to have violated the Academic Integrity Policy on more than one occasion, or when a student appears before the board after already having been suspended. Expulsion from the institution is permanent. Appeals to the sanction of expulsion must be submitted to the Office of the President. If necessary, the president will consult with legal counsel in these cases. Suspension, expulsion, and rescission of a degree can be recommended by a faculty member/administrator, department chair, and AIB but can be imposed only by the president's designee for suspension, expulsion, and rescission of a degree; the president's designee is responsible for verifying that due process was followed.
- g. Other: Further sanctions, including rescission of a graduate degree, may be recommended through written agreement approved and signed by the faculty member and the dean of the School of Graduate Studies and Research.

#### **F. Records and Recordkeeping**

1. Records of Informal Resolution. Although no official forms are filed at this level of resolution, it is *strongly recommended* that a faculty member/administrator and student who reach an informal agreement put the agreement in writing with a copy to each participant. This protects each party in the event of any future attempt at renegotiation.
2. Records of Resolution by Documented Agreement. Documented Agreement Resolutions are filed with the Office of Student Conduct. They are not considered formal disciplinary records until, and unless, the student is found in violation of this policy a second time. They are internal university records used for monitoring students for multiple violations only. If a second documented agreement form is filed or a student is found in violation of the policy through formal adjudication, the student will then have a formal disciplinary record which includes records of both violations. This formal record is maintained according to the IUP judicial system recordkeeping policies.
3. Records of Formal Adjudication. Records of academic integrity cases resolved through formal adjudication are filed with the Office of Student Conduct. They are maintained as formal disciplinary records in accordance with IUP judicial system recordkeeping policies. Records of cases involving suspension, expulsion, or rescission of a degree must be maintained for a minimum of seven years.

#### **G. Operational Notes**

1. In cases where a violation is alleged at, or near, the end of the semester and resolution by informal resolution, documented agreement, or formal adjudication cannot be completed before grades are submitted, the faculty member should submit a designation of "Incomplete" (I) for the student. The "I" designation will remain on the student's record until the case has been resolved. Once the case has been resolved, the "I" designation will be replaced with the appropriate grade. Page 36 INDIANA UNIVERSITY OF PENNSYLVANIA UNDERGRADUATE CATALOG, 2009-2010.
2. If the violation is alleged during the semester when classes are in session, the accused student should continue attending all classes and continue to complete course requirements during the resolution of the academic integrity case.
3. Conversion of a Withdrawal: Individual course withdrawals initiated by a student prior to resolution of an academic integrity referral will not remain on the transcript if the student is found to have violated the policy and the resolution of the referral is the assignment of a grade. If the student has withdrawn and has been found to violate the policy, another grade, including an "F," may be placed on the transcript. If the student has withdrawn and has not been found to violate the policy, the "W" will remain on the transcript.
4. The ten-day requirement within this policy is a period of time intended to reasonably assure swift notification of an alleged violation and a swift response while allowing the student a reasonable opportunity to prepare a response. Either a faculty member/administrator or student may request an extension of time for good cause; this extension may be granted by the provost/designee.
5. The university may withhold transcripts, grades, diplomas, or other official records pending the disposition of cases, if such action is reasonably necessary to preserve its ability to enforce its rules.
6. The provost/designee may modify the procedural provisions of these rules by the issuance of written orders to deal with particular unusual procedural situations, so long as no order shall contradict the rules of the Board of Governors of the State System of Higher Education governing due process for students, and no such rule shall deny fundamental fairness to students by, for example, effectively constituting a denial of notice or opportunity to be heard.
7. This policy will be reviewed by the Senate Academic Committee after five years.
8. Failure to comply with the sanctions issued under this policy will result in a referral to the Office of Student Conduct for violation of Academic Integrity Policy and Procedures, Section II, Violation #9 by the Office of the Provost.

The various forms described in this policy are available from the Office of the Provost, the Office of the Vice President for Student Affairs, deans' offices, or department offices. Questions concerning the Academic Integrity Policy and Procedures can be directed to the Office of the Provost.

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## AFFIRMATIVE ACTION POLICY FOR IUP

### AFFIRMATIVE ACTION POLICY FOR IUP

Office of Human Resources 724-357-2431

<http://www.iup.edu/humanresources/>

Indiana University of Pennsylvania is committed to provide leadership in taking affirmative action to assure equal education and employment rights for all persons without regard to race, color, sex, religion, national origin, sexual orientation, age, disability, or veteran's status. We believe that respect for the individual in the academic community must not be abused. Harassment or disregard of a person based on any of these characteristics is particularly intolerable on the university campus.

The University will take affirmative action to ensure the implementation of this policy in employment and admissions. This policy and the obligation to provide equal opportunity include the following commitment:

1. To recruit, hire, train, and promote persons for all job classifications and to admit and educate students without regard to race, color, sex, religion, national origin, sexual orientation, age, disability, or veteran's status.
2. To base decisions on selection, employment practices, employee utilization, job training, career mobility, promotion, program operation, and services provided in observance of the principles of equal employment opportunity and affirmative action.
3. To assure that all other personnel actions, such as compensation, benefits, transfers, furloughs, returns from furloughs, agency-sponsored training, educational benefits, tuition assistance, social and recreational programs, etc., are administered in keeping with the policy, strategies, objectives, goals, and timetables of the Equal Opportunity Act and the Affirmative Action Plan of the university.
4. To create and maintain a workplace and educational climate that is free from discrimination and harassment, including sexual harassment, of any employee or student.
5. To make every effort to increase employment and educational opportunities for qualified disabled applicants and employees with disabilities.
6. To assure that in offering employment or promotion to persons with disabilities, no reduction in compensation would result because of disability income or other benefits.
7. To assure that reasonable accommodations will be made for the physical disabilities of an applicant or student.

As an equal opportunity/affirmative action institution, the IUP Affirmative Action Plan is applicable to employees/enrollees of Indiana University of Pennsylvania under provisions of federal and state laws including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, as well as all federal and state executive orders. This policy extends to disabled veterans and veterans of the Vietnam era.

The IUP Affirmative Action Plan supersedes the Affirmative Action Plan of 1995-96; the 1983 IUP Plan; the August 8, 1975, Affirmative Action Plan adopted by the Board to Trustees; and the March 31, 1982, Affirmative Action Plan submitted to the U.S. Office for Civil Rights.

Questions regarding the IUP Affirmative Action Plan should be directed to the Office of the President and will be directed to the appropriate person..

Students with suggestions, problems, or complaints should contact the Office of the Vice President for Student Affairs, 215 Sutton Hall, or by calling 724-357-4040.

Employees having inquiries regarding accommodations for persons with disabilities should contact the Office of social Equity, 201 Sutton Hall, 1011 South Drive, or by calling 724-357-2200.

Students with inquiries regarding accommodations should contact the Director of Disability Support Services, 504 Coordinator/ADA Student Concerns, 216, Pratt Hall, or by calling 724-357-4067.

Specific inquiries regarding Title IX should be directed to the Vice President for Student Affairs (Title IX Coordinator), 211 Sutton Hall, or by calling 724-357-4040.

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# ALCOHOL POLICY

## ALCOHOL POLICY

Center for Student Life 724-357-1264

### Rationale

IUP seeks to encourage and sustain an academic environment that both respects individual choice and promotes the health, safety, and welfare of all members of the university community. Accordingly, the university offers these statements for guidance and the policies, which follow as regulation of alcoholic beverages, consistent with the statutes and laws of the Commonwealth of Pennsylvania.

In support of its mission, the university sponsors educational programs on the physical, psychological, social, and behavioral effects of alcohol consumption. It provides substance-free activities to promote social interaction, and it provides services and resources for community members who experience difficulty in dealing with personal or family alcohol-related issues. IUP's alcohol policy and programs are intended to encourage community members to make responsible decisions about the use of alcoholic beverages and to promote a safe, lawful, and healthy environment for social interaction.

While acknowledging that alcohol may play a role in some social settings, the university expects all members of the community to recognize the potential for alcohol-related problems whenever it is consumed. Such problems are harmful to the mission of the university. Alcohol consumption will not be considered an excuse for misconduct but rather as an aggravating factor to the misconduct in question.

The university expects that members of the campus community who choose to consume or serve alcoholic beverages will abide by state law in a low-risk manner as a result of making an informed decision. This decision should be based upon consideration of the consequences to self, to others, and to the community at large and with full awareness and understanding of individual and group accountability, behavioral consequences, relevant policies, regulations, and laws.

Since IUP students live among the permanent residents of the Indiana community, the university also expects alcohol-related behavior to be in accordance with local community standards. Such standards are not tolerant of gatherings which are boisterous and/or in violation of Pennsylvania alcohol laws. The university reserves the right to initiate disciplinary proceedings when students violate alcohol laws on or off campus.

The preceding statements exist for the guidance of all university community members. The regulations, which follow, are intended to govern the use of alcoholic beverages on property owned, operated, or supervised by the university or Student Cooperative Association.

### Policy

1. Alcoholic beverages are not permitted on university or Student Cooperative Association grounds or in buildings including residential buildings, except as provided below:
  - a. Alcoholic beverages may be possessed and served at university functions provided that written permission is granted by the appropriate vice president or his or her designee prior to the event. When alcoholic beverages are served, the event host is responsible for supervision of the event and for ensuring that state law is followed.
  - b. University Towers: Residents who are of legal age may consume alcohol in the privacy of their apartments. Parties which involve kegs or similarly large amounts of alcohol are prohibited. Behavior resulting from the use of alcohol or a party situation which is disruptive to an individual and/or the community may result in judicial action. Alcohol is not permitted in public areas.
  - c. University or Student Cooperative Association professional staff members whose permanent place of residence is on campus may possess and consume alcoholic beverages in their residence.
  - d. Non university guests who rent or schedule university facilities following the university scheduling policy may serve alcoholic beverages, providing that approval is granted by the Vice President for Student Affairs and that all applicable laws, ordinances, and university policy are followed.
  - e. Alcoholic beverages are prohibited on all Student Cooperative Association properties except the University Lodge. To serve alcohol at the University Lodge, all participants must be of legal age and the sponsor must show proof of Host Liquor Liability Insurance of at least \$500,000 with IUP, the Student Cooperative Association, and the College Student Union Association named as additional insurers. Alcohol permission forms are available from the director of the Hadley Union Building and Campus Recreation.
2. Alcoholic beverages are not permitted within gymnasiums or fields at athletic events.
3. State funds may not be used to purchase alcoholic beverages.
4. On-campus publicity for any campus or off-campus event sponsored by recognized organizations or members of the IUP community may not include the advertising of the availability of alcohol at those events and may not use the availability of alcohol as an incentive to attend those events. Unless an event is specifically advertised as nonalcoholic, the use of illustrations or terminology which imply the use of alcohol in this community is prohibited.
5. The university reserves the right to make further regulations regarding the possession and consumption of alcoholic beverages on campus as necessary.

### Criminal Penalties

The following represents a summary of relevant articles from the Pennsylvania Crimes Code and Indiana Borough ordinances. Statutes for alcohol violation come from the Pennsylvania Crimes Code Title 18, Pennsylvania Liquor Code Title 47 and Indiana Borough ordinances.

1. A person, under the age of 21, commits a summary offense if he/she attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages. Maximum fine \$300 plus court costs and mandatory loss of your

drivers license for 90 days for a first offense, one year for a second offense and two years subsequent offenses. The police department making an arrest for 6308 are obligated to notify the parents or guardians of the minor charged (Pa C.S.A. 6308).

2. A person is guilty of a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violations if he/she is under the age of 21 and knowingly and falsely represents him/herself to be 21 years of age or older, for the purpose of obtaining any liquor or malt or brewed beverages. Maximum fine is \$500 plus court costs and loss of driver's license (Pa C.S.A. 6307).
3. A person is guilty of a misdemeanor of the third degree if he/she knowingly, willfully, and falsely represents to any licensed dealer, or other person, that a minor is of legal age for the purpose of inducing a person to sell or furnish any liquor, malt or brewed beverages. The minimum penalty is a fine of not less than \$300 (Pa C.S.A. 6309).
4. A person commits a misdemeanor of the third degree if he/she intentionally and knowingly sells or intentionally and knowingly furnishes, or purchases with the intent to sell or furnish, any liquor or malt or brewed beverages to a person who is less than 21 years of age. Minimum penalty for violating this subsection is a fine not less than \$1000 for the first violation and a fine of \$2500 for each subsequent violation plus court costs (Pa C.S.A. 6310.1A).
5. A person commits a misdemeanor of the second degree if he/she intentionally, knowingly or recklessly manufactures, makes, alters, sells or attempts to sell an identification card falsely representing the identity, birth date or age of another. Minimum penalty is a fine of not less than \$1000 for the first violation and a fine of not less than \$2500 for each subsequent violation (Pa C.S.A. 6310.2).
6. A person commits a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violation if he/she, is under 21 years of age and possesses an identification card that falsely identifies the person as being 21. It is also a violation to use the identification card of another individual. Minimum penalty is a fine not more than \$500 plus court costs (Pa C.S.A. 6310.3).
7. It is unlawful for any person who is an operator or any occupant in a motor vehicle to be in possession of an open alcoholic beverage container or to consume any alcoholic beverages or controlled substances. This is a summary offense with a maximum penalty of \$300 (Pa C.S.A. 7513).
8. A person is guilty of a summary offense if he/she appears in any public place under the influence of alcohol or a controlled substance. Penalty is a maximum fine of \$300 plus court costs (Pa C.S.A. 5505).
9. A minor (under 21 years of age) shall not drive, operate or be in physical control of a motor vehicle while having alcohol in his/her system. This is a summary offense with a fine of \$100 (Pa C.S.A. 3718).
10. A person shall not drive, operate or be in physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance to a degree that renders the person incapable of safe driving. For an individual who is 21 years of age or older, the Blood Alcohol Content is .08, for a minor under 21, the Blood Alcohol Content is .02. It is a misdemeanor of the second degree for a first offense.

#### **Pennsylvania Liquor Code Title 47**

Sales of alcoholic beverages without a Liquor Control Board license or the purchase of such beverages from an unlicensed source of liquor or malt or brewed beverages are prohibited. Maximum penalty is \$300 fine, 90 days in jail plus \$200 per ounce of alcohol sold. (Approximately \$4000 for each keg used illegally).

#### **Indiana Borough Ordinance #1376**

It is unlawful to possess an open container of al alcoholic beverage while in or upon public streets, alleys, parks or other public grounds. Fine is a maximum amount of \$100 plus court costs.

#### **Alcohol Liability in Pennsylvania**

In December, 1986, the United States Court of Appeals for the Third Circuit, in a case titled Fasset vs. Delta Kappa Epsilon (New York), the Villanova chapter of Delta Kappa Epsilon, et. al., reviewed the law of Pennsylvania concerning the liability of a social host who serves alcohol. The court held that particular defendants could be held liable if they had an intention to promote or facilitate the consumption of alcohol by a minor or attempted to aid in the consumption of alcohol by minors. Consequently, the court held that the president of the fraternity that sponsored the party (because he helped organize the party), the treasurer of the fraternity who signed a check for the purchase of the alcohol, and three other individuals who allowed their apartment to be used for the party where minors were served intoxicating beverages could all be held liable for injuries to the intoxicated minor and any third parties injured by the minor.

Thus, individuals in Pennsylvania who furnish alcoholic beverages to minors not only commit a violation of law, but they also render themselves potentially liable for any injuries the minor might sustain and for any injuries that third parties might sustain due to an act of an intoxicated minor. Individuals potentially liable for such damages include not only those who physically furnish the alcohol to the minor but any persons who aid and assist in the furnishing of the alcohol through its purchase or through organizing, hosting, or supporting the event at which the alcohol is made available.

#### **Resources**

Members of the university community who experience alcohol-related problems or who are concerned about another who may be having such difficulties are encouraged to seek assistance from any of the following agencies:

#### **On campus:**

**Alcohol, Tobacco, and Other Drugs**  
Center for Health and Well-Being  
724-357-1265

**The Counseling Center**  
Center for Health and Well-Being  
724-357-2621

#### **Off campus:**

**The Open Door**  
334 Philadelphia Street  
Indiana, PA 15701, 724-465-2605

**Armstrong/Indiana Drug & Alcohol Commission, Inc.**  
RR 2 Box 67 Rte 422 West  
Shelocta, PA 15774, 724-355-2746

**A. A. (Alcoholics Anonymous)**  
**Al-anon and/or Alateen**  
724-349-4041 (Call and leave a message)

*Approved by the Student Affairs Senate Committee on April 14, 1992.*

## AUTOMOBILE AND PARKING REGULATIONS

### AUTOMOBILE AND PARKING REGULATIONS

University Parking Services 724-357-8748

All persons desiring to park a vehicle on the IUP campus must register for a parking permit, except for vehicles bearing a disabled plate, DV plate, or a disabled placard.

#### PARKING PERMIT PROCESS

We would like to welcome you to IUP by providing you with relevant parking information that will make your transition to campus life as smooth as possible. It is important that you read and understand what is written below and address any questions to our Parking Services Department at 724-357-8748 (VSIT).

We offer three types of parking permits to students:

- **Commuter Permits** are allocated to those individuals traveling from outside of the set boundaries to class each day; commuter permits are also provided to *graduate students* who do not live on campus; these students, however, may reside within the set boundaries. A boundary map can be found at <http://www.iup.edu/parking>.
- **Resident Permits** are designated for graduate students living on campus. Permit requests for undergraduate student teaching or clinicals must be submitted in writing and approved by the PARB. Forms are available at the Parking Services.
- **Robertshaw Permits** are available for a fee for long-term parking by undergraduate students living in university owned residence halls. This lot is located at the Robertshaw building on the South Campus.

All permits are available on line. To apply online use the following procedure:

- Login to URSA
- Click the Personal Information link
- Update (Address(es) and Phone(s)). This will display the information current to the system. If necessary make the appropriate change(s).
  - Note: it is important to verify your local address. Unless you are commuting from your permanent residence, two different addresses should appear.
- Click on the Student Services and Financial Aid Tab
- Click on the Parking Permit Application link.
  - Read the disclaimer before continuing. It states that if you receive a parking permit under false pretense, such as living within the stated boundary, you will be criminally charged.
- Complete the application process.
- **DO NOT EXIT** before printing out a temporary parking voucher. This may only be done once.
  - Voucher must be displayed on dash until permanent parking permit is received in the mail

To review Parking Regulations and for Parking Lot Designations and maps, please visit: <http://www.iup.edu/parking>, and click on the Parking Regulations link.

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## BYSTANDER INVOLVEMENT ("MEDICAL AMNESTY")

### Bystander Involvement ("Medical Amnesty")

The safety and general welfare of the members of the IUP and Indiana communities are of paramount importance. When individuals need help, the university encourages students to offer assistance regardless of location on or off campus property. Sometimes students may hesitate to offer help to others for fear that they may risk judicial consequences for their own behavior in a situation (for example, drinking alcohol while under the age of 21). The community's best interests are served when individuals report crimes, call 911, and seek help for those in need of assistance. Therefore, when an IUP student has contacted authorities to seek assistance for an individual in a life threatening situation, and the reporting student is subsequently found "in violation" of university policy for behavior during the contact, consideration for reduced sanction(s) may be given.

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## **CAMPUS FILM USE REQUIREMENTS AND PROCEDURES**

### **CAMPUS FILM USE REQUIREMENTS AND PROCEDURES**

<http://www.iup.edu/studentlife/>

1. A recognized student organization or university department desiring to show a film must first schedule a university facility by contacting the Scheduling Center in 319 Clark Hall (724-357-2217). The organization or department is expected to comply with the policy for scheduling university facilities as provided by the Scheduling Center.
2. Minimally fifteen work days before using the scheduled facility, the organization or department shall be directed to the Center for Student Life, 307 Pratt Hall, and shall provide a copy of the completed scheduling form as well as documentation of film rental or purchase, or confirmation of use of a university-owned film, to a representative of the Center for Student Life.
3. All organizations or departments showing a commercial film that is rated by the Motion Picture Code and Rating Administration must advertise the film rating and any admissions restrictions. This information must also be visibly posted at the room entrance at the time of the showing. The sponsoring recognized organization or department must maintain responsibility for requesting proof of age at the room entrance and enforcing the rating guidelines.
4. Admission to on-campus film showings is limited to IUP faculty, students, staff, and their guests. Appropriate identification should be required at the door.
5. At least one (1) identified member of the sponsoring organization or department must be present at all times during the showing of the film.
6. All advertising must include the name of the film, where it is being shown, the show date(s) and time(s), admission charge(s), MPAA rating, and the name of the sponsoring organization or department. Generally, off-campus advertising is prohibited by film distributors. In cases where off-campus advertising is desired, written permission from the film distributor will be required and must be presented to a representative of the Center for Student Life.
7. Failure to follow these use requirements and procedures may result in forfeiture of the use of university facilities. The Center for Student Life will determine and notify the Scheduling Center and the organization or department of such forfeiture. If forfeiture results, the recognized organization or department may ask the Vice President for Student Affairs or his/her designee to review the decision.

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## **CHANGE OF MAJOR POLICY**

### **CHANGE OF MAJOR POLICY**

<http://www.iup.edu/registrar/catalog/default.aspx>

**(Refer to individual college sections in the undergraduate catalog for change of major policies pertaining to specific colleges and majors.)**

For students changing majors (or minors) in the College of Education and Educational Technology or in the Eberly College of Business and Information Technology, special policies apply.

To qualify for change of major, a student must be in academic good standing (2.00 cumulative GPA). This requirement does not apply to students in their first semester at IUP without a GPA. All students must meet any other requirements specific to the new major. All teacher certification programs have requirements beyond a 2.00 GPA.

A student must apply for a change of major in the office of the dean of the new major. Before seeking a change of major, it is advisable that the student consult with the departmental chairpersons of both the "old" and "new" majors.

When a student changes colleges, the dean (or dean's designee) of the college of the new major will evaluate the student's credits before approving the change. A copy of the evaluation will be made available to the student and his/her new advisor if a change of major is effected.

In cases involving students who are veterans, the dean (or dean's designee) of the new major shall give the veteran a statement of prospective approval and the effective date of the proposed changes. This statement shall also indicate the amount of extended time the change of major will entail, if any. The veteran shall take this statement to the veteran's counselor at least one month prior to the effective date of the change. No change of major shall be made by veterans until V.A. approval has been assured.

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## CLASS DISRUPTION POLICY

### CLASS DISRUPTION POLICY

Office of the Provost 724-357-2219

<http://www.iup.edu/registrar/catalog/default.aspx>

(Refer to Academic Policies in the undergraduate catalog)

Students and faculty alike should strive to create a class environment that reflects mutual respect and the importance of learning. If a student's behavior threatens to disrupt that environment, the faculty member has a responsibility to seek resolution of the problem.

A faculty member is empowered to request that a student leave during a particular class period if, in the measured opinion of that faculty member, the student:

1. Significantly disrupts the learning process, or
2. Is a threat to others

If the student refuses to leave or, if the faculty member deems it appropriate, law enforcement officers may be called to remove the student.

If the behavior is especially egregious or potentially harmful, or if the student refuses to modify the behavior, the faculty member may, with the consent of his/her academic dean and in consultation with the department chairperson, keep the student from returning to class until the case can be adjudicated under the Academic Integrity Policy. When appropriate, criminal charges should also be filed.

If deemed appropriate, the adjudicators may render a decision that removes the offending student from the class or the university. If so, the university will assign, in lieu of a grade, a designation that indicates a withdrawal. If grades are due before a final decision has been reached, the instructor should assign a temporary designation of "I" (Incomplete).

If the student is allowed to return, the student will have the option of re-entering another open section of the course if feasible. When appropriate, the student should be allowed a reasonable opportunity to make up any work missed during a forced absence.

If a student's grade is adversely affected by a capricious forced absence, the student may file a grade appeal.

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## COMPUTING POLICIES

### ACCEPTABLE USE POLICY

#### 1. Purpose

This policy addresses the use of information technology resources (IT resources) at Indiana University of Pennsylvania ("the university"). IT resources are intended to support the university's instructional, research, and administrative operations.

#### 2. Scope

This policy applies to all users of IT resources owned or operated by Indiana University of Pennsylvania. Users include students, faculty, staff, contractors, and guest users of computer network resources, equipment or connecting resources.

#### 3. Objective

The objective of this policy is to create a framework to ensure that IT resources are used in an appropriate fashion, and support the university's mission and institutional goals.

#### 4. Policy

Use of the university's IT resources is a privilege and signifies agreement to comply with this policy. Users are expected to act responsibly, and follow the university's policies and any applicable laws related to the use of IT resources. This policy provides regulations to assure IT resources are allocated effectively.

While the university recognizes the role of privacy in an institution of higher learning, and will endeavor to honor that ideal, there should be no expectation of privacy of information stored on or sent through university-owned IT resources, except as required by law. For example, the university may be required to provide information stored in IT resources to someone other than the user as a result of court order, investigatory process, or in response to a request authorized under Pennsylvania's Right-to-Know statute (65 P.S. §67.101 et seq.). Information stored by the University may also be viewed by technical staff working to resolve technical issues.

## 5. Definitions

Information Technology (IT) resources include, but are not limited to, all university owned or operated hardware, software, computing equipment, systems, networks, programs, personal data assistants, cellular phones, fax, telephone, storage devices, cable television, input/output, connecting devices via either a physical or wireless connection regardless of the ownership of the device connected to the network, and any electronic device issued by the university. IT resources include all electronic media, voice, video conferencing and video networks, electronic mail, and related mediums such as blogs, wikis, websites, and electronic records stored on servers and systems.

## 6. Responsibilities

### A. Responsibilities of Users of IT Resources

1. Respect the intellectual property of authors, contributors, and publishers in all media.
2. Protect user identification, password information, and the system from unauthorized use.
3. Adhere to the terms of software licenses and other contracts. Persons loading software on any university computer must adhere to all licensing requirements for the software. Except where allowed by university site licenses, the copying of university-licensed software for personal use is a violation of this policy.
4. Comply with federal, state, and local laws, relevant to university personal conduct regulations, and the terms and conditions of applicable collective bargaining agreements. Applicable laws include, but are not limited to, those regulating copyright infringement, copyright fair use, libel, slander, and harassment.
5. Become acquainted with laws, licensing, contracts, and university policies and regulations applicable to the appropriate use of IT resources. Users are expected to use good judgment and exercise civility at all times when utilizing IT resources, and respect the large, diverse community utilizing these resources in a shared manner.
6. Understand the appropriate use of assigned IT resources, including the computer, network address or port, software, and hardware.
7. Comply with the university's Use of E-mail as an Official Means of Communications Policy. Electronic mail should never be considered an appropriate tool for confidential communications. Messages can be forwarded or printed, and some users permit others to review their e-mail accounts. Message content can be revealed as part of legal proceedings. Finally, messages are sometimes not successfully delivered due to a technical issue requiring authorized IT personnel to review message content as part of the troubleshooting process.

### B. Prohibited Uses of IT Resources

1. Providing false or misleading information to obtain or use a university computing account or other IT resources.
2. Unauthorized use of another user's account and attempting to capture or guess passwords of another user.
3. Attempting to gain or gaining unauthorized access to IT resources, or to the files of another user. Attempting to access restricted portions of the network, an operating system, security software or other administrative applications without authorization by the system owner or administrator.
4. Interfering with the normal operations, proper functioning, security mechanism or integrity of IT resources.
5. Use of IT resources to transmit abusive, threatening or harassing material or other communications prohibited by law.
6. Copyright infringement, including illegal sharing of video, audio, software or data.
7. Excessive use that overburdens or degrades the performance of IT resources to the exclusion of other users. This includes activities which unfairly deprive other users of access to IT resources or which impose a burden on the university. Users must be considerate when utilizing IT resources. The University reserves the right to set limits on a user through quotas, time limits, and/or other mechanisms.
8. Intentionally or knowingly installing, executing, or providing to another, a program or file, on any of the IT resources that could result in the damage to any file, system, or network. This includes, but is not limited to computer viruses, trojan horses, worms, spyware or other malicious programs or files.

## 7. Procedures

1. Violations of this policy will be reported to appropriate levels of administrative oversight, depending on the statutes and policies violated. Suspected violations of federal and state statutes and local ordinances shall be reported to the Director of Public Safety (chief of campus police) for official action.
2. Non-statutory violations of the Acceptable Use Policy, such as "excessive use," may be reported to the Chief Information Officer, the Associate Vice President for Human Resources, the Office of Student Conduct and/or the Director of Public Safety (chief of campus police).
3. A university employee or student who violates this policy risks a range of sanctions imposed by relevant university disciplinary processes, including denial of access to any or all IT resources. He or she also risks referral for prosecution under applicable local, state or federal laws.
4. The University Senate-via the Library and Educational Services Committee-is responsible for recommending the university's Acceptable Use Policy. Questions regarding the applicability, violation of the policy or appropriate access to information should be referring to the Chief Information Officer.

## 8. Rescission

1. Computing Resources Policy
2. Computer Software Policy
3. E-mail Privacy Policy

## 9. Publications Statement:

This policy should be published in the following publications:

1. Administrative Manual
2. Student Handbook
3. IUP Catalog
4. IUP Website

## 10. Distribution

1. All Employees
2. All Students
3. All affiliates with access to IT resources at IUP

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## INFORMATION PROTECTION POLICY

12.12.94 rev.

1. **PURPOSE:** To develop among the University community an appreciation for the value, and often vulnerable nature, of information, and to reduce the danger of misuse, destruction, or loss of information especially that of a critical or confidential nature, without restricting academic freedom or complicating access to information to which the University community has a legitimate and specific need.
2. **SCOPE:** This policy applies to all employees and affiliates of the University.
3. **OBJECTIVE:** The objective of this policy is to establish a framework for the use, access, and maintenance of information.
4. **POLICY:** It is the policy of Indiana University of Pennsylvania that all information be used in a manner that maintains an appropriate and relevant level of confidentiality and that provides sufficient assurance of its integrity in compliance with existing laws and PASSHE and University Policies. [Examples would include (but are not limited to) Copyright Law, US Code Title 18, the Family Educational Rights and Privacy Act of 1974 (FERPA), and the Pennsylvania Library Theft Law (Act 1982-95), and the Gramm-Leach-Bliley ACT (GLBA)]. While the elimination of all risk is impossible, the goal of the policy is to minimize the possibility of information misuse, corruption, and loss through the adoption of reasonable procedures for the University community to follow. While this policy is especially pertinent to information stored electronically, it is also intended to guide users of all information, including what is stored in other formats such as paper, microform, and video, as well as the content of confidential meetings and conversations.

## 5. DEFINITIONS:

University community - All employees and affiliates of the University.

Information - Data, in all its forms, collected, maintained, accessed, modified, or synthesized by and for members of the University community. The various forms of data include but not limited to computer files, paper files, books, microfilm and fiche, video, conversations and oral presentations, and pictures or images.

Public Information - Information to which the University community has unrestricted access and for which there are no requirements of confidentiality. The vast majority of information at the University is of a public nature, for example: telephone directories, calendars, schedules, library books in general circulation, most conversations and meetings, and information bulletins.

Restricted Information - Information which is sensitive and confidential in nature or legally constrained, and requires access only by that part of the University community with the specific need to do so. Restricted University information includes, for example, individual student class schedules, grades, bills, financial aid applications, health records, personally identifiable financial information, and confidential personnel actions, whether the information is in paper, electronic, micrographic, or conversational form.

## 6. RESPONSIBILITIES:

### Access

1. Access to public information is limited only by such restrictions as circulation policies, copyright restrictions, license and contractual agreements, University policies (such as the Computer Software Policy), and procedures for use.
2. Restricted information may only be accessed by those authorized members of the University community with a specific and legitimate need to know. Legitimate access does not include the freedom to "fish" (out of curiosity or other motives) for information which is restricted, if it is not specifically required to perform a job-related task or legitimate research.

### Use

1. Responsibility will vary from member to member of the University community, and each user will be accountable for appropriate use.
2. Each member of the University community is responsible for using information appropriately. Appropriate use is wise and prudent use of information so that information resources are not wasted, damaged, or misused. Inappropriate use includes releasing restricted information, erasing or modifying information without proper authorization, defacing or removing pages from books, using information to embarrass, intimidate, or harass, or attempting to subvert the flow of information, such as purposefully attempting to crash or slow down computer systems, modifying or removing posted information without authority, and other such actions.



**7. PROCEDURES:**

**Maintenance**

1. Each office responsible for University information shall identify the information it maintains determine whether it is of a restricted nature, and implement reasonable and clear procedures for granting access only to employees with a legal, specific, and legitimate need to know. Employees must be aware of applicable restrictions on the use of information to which they have access. Specific offices with responsibility for the University's electronic data are listed on-line in the University Administrative Computing Oversight Committee (ACOC) Web Site. Information on accessing this list may be obtained from the Technology Services Center.
2. Each member of the University community with access to restricted information is responsible for maintaining the confidentiality of that information whether it has been obtained or created through electronic, paper, or conversational means. Each such person will read and sign the IUP confidentiality Statement. The Confidentiality Statement will be maintained in the employee's official personal file in the Office of Human Resources. Maintenance of Confidentiality Statements for student employees will be maintained in Student Payroll. Each such person shall take appropriate action to ensure the information is being used properly and appropriately. For example, confidential files should be locked when not in use. Sensitive or confidential information should be destroyed when discarded. It is particularly important that passwords to computer accounts with access to restricted information not be shared.
3. Members of the University community charged with maintaining restricted information are responsible for maintaining the accuracy and integrity of that information and for determining who requires access to it. Critical information on the University and University-related information systems is automatically backed up on a regular basis to maintain its integrity and retrievability should it be accidentally or otherwise destroyed or lost. Individual users with critical information maintained locally, i.e., on a personal computer, on paper, or in other media, shall also take appropriate steps to ensure that valuable and confidential information not be lost, damaged, or otherwise compromised.

**Oversight**

1. The Administrative Computing Oversight Committee (ACOC) is responsible for the procedures and programs to support the Maintenance (Section 7) of the Information Protection Policy, including the creation and maintenance of any specific programs required by law [example, GLBA Safeguards Rule]. Copies of the policy and all associated procedures shall be maintained on the IUP Policy website.
2. Questions regarding the applicability or violation of the policy or appropriate access to information should be referred to the Chair of the Administrative Computing Oversight Committee (ACOC).
3. Violations of this policy will be reported to the Associate Vice President for Human Resources. Violations of the policy may result in disciplinary action up to and including separation from employment or expulsion from school in accordance with the student handbook, applicable collective bargaining agreements, and/or University and PASSHE personnel policies.

**8. RECISION:** Alumni/Development Information System Confidentiality Policy.

**9. PUBLICATIONS STATEMENT:** This policy should be published in the following publications: Administrative Manual

**10. DISTRIBUTION:**

<u>Distribution Code</u>	<u>Description</u>
A	All Employees

EVACUATION PROCEDURES

**EVACUATION PROCEDURES**

**University Police 724-357-2141**

The following building evacuation procedures will be implemented by occupants of IUP buildings in case of a fire alarm.

**Before a Fire**

1. Know the location of all fire alarm stations.
2. Know the location of all fire extinguishers.
3. Know the location of all exits.
4. If a student has special needs due to a disability, the student should notify responsible staff members so those special evacuation plans can be made in case of an emergency.
5. Know locations of blue-light emergency phones.

**A. Discovering a Fire**

1. Sound the alarm immediately.
2. Call University Police, 724-357-2141. If a phone is not available, use emergency blue-light phones.
3. Shut all doors and windows.
4. Vacate the building by the nearest accessible exit.
5. Do not use elevators.

**B. Hearing the Fire Alarm Sound**

1. Open curtains.
2. Close all windows tightly.
3. Put on shoes and coat and take a towel to cover the face.
4. Vacate the room and close the door.
5. Vacate the building by the nearest accessible exit.

**C. Do Not Use Elevators**

1. If power fails, they may stop and occupants would be trapped.
2. Walk at a safe speed and use nearest accessible exit.

**D. After Vacating the Building**

1. Listen for instructions from staff members and safety officers.
2. Leave the immediate vicinity of the building.

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## FINAL EXAMINATION POLICY

**FINAL EXAMINATION POLICY (Undergraduate)**

<http://www.iup.edu/registrar/catalog/default.aspx>

(Refer to Academic Policies of the undergraduate catalog)

The final examination week is part of the regular academic program and must be incorporated into each instructor's course plan for the semester. Final examinations are not the only legitimate type of terminating activity, and therefore, the instructor may choose an appropriate activity that conforms to course objectives.

The terminating activity shall take place only at the time and location assigned by the Registrar's Office. Unless granted an excused absence, the faculty member responsible for the course must be present to direct the terminating activity. Faculty members may require student participation in the terminating activity.

Faculty members who do not schedule or do not attend the terminating activity for a course may be subject to disciplinary action commensurate with unexcused absences. Once the final examination has been set by the Registrar's Office, changes and absences must be approved by the instructor's college dean.

**Faculty members are only obligated to offer a make-up in cases where officially scheduled exams are in conflict. Where such conflicts exist during the examination period, the following general rules apply:**

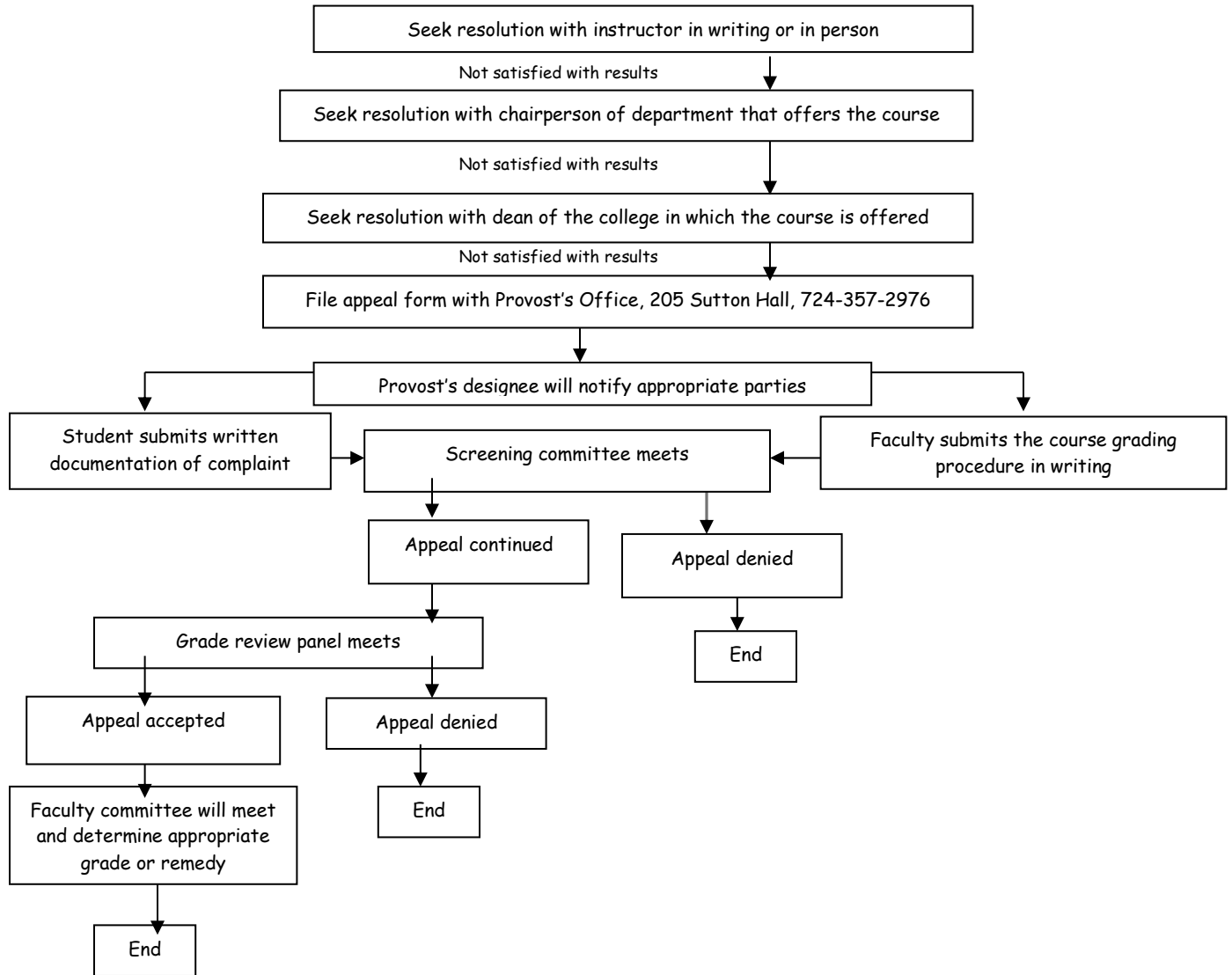
1. The higher-numbered course takes precedence. Thus, a student enrolled in GEOG 102 and ECON 325 would take the ECON 325 exam at the assigned time and the make-up in GEOG 102.
2. If courses in conflict are the same level and number, an alphabetical determination by full name of department, not its acronym, will be made. For example, a student enrolled in, MATH (Mathematics) 350 and MGMT (Management) 350 would take the MGMT 350 exam at the assigned time and a make-up in MATH 350.

A student may not be required to take more than three final exams on any one regularly scheduled examination day. For any exam over three, a make-up exam must be scheduled by the instructor for the student, at his or her request, into another mutually agreeable regular final examination period. The rules determining conflict resolution (listed above) will determine which exams a student may request as make-ups.

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# GRADE APPEAL PROCEDURE

Office of the Provost 724-357-2219  
<http://www.iup.edu/registrar/catalog/default.aspx>  
 (Refer to Academic Policies in the Undergraduate Catalog)



## **IUP Student Grade Appeal Policy**

### **Grade Review Policy**

If a student disagrees with the evaluation of his/her work by the instructor but has no basis for a charge of "discrimination" or "capricious evaluation" or "error," the student should discuss the matter directly with the instructor, and if unsatisfied, with the chairperson of the department in which the course was offered, and if still unsatisfied, with the dean of the college in which the course was offered. In such cases, the decision of the instructor shall be final. If a student believes that an improper grade has been assigned, an appeal may be filed on the following grounds:

1. **Discrimination:** On the basis of race, religion, national origin, sex, age, ancestry, handicapped status, gender identity, sexual orientation, or political affiliation.
2. **Capricious Evaluation:** Significant and unwarranted deviation from grading procedures and course outlines set at the beginning of the course (ordinarily in a written statement during the first week of the course) or grade assigned arbitrarily on the basis of whim or impulse. The student may not claim capriciousness if he or she disagrees with the subjective professional evaluation of the instructor.
3. **Error:** Demonstrable, objective determination that a mathematical or clerical error resulted in the entry of an incorrect grade.

## Procedures of Appeal

### Level I: Informal Resolution

Every effort should be made to resolve the disagreement at Level I. The student must first seek a resolution to the disagreement with the instructor either in person or in writing. If the student is not satisfied with the results, the student must then speak with the chairperson of the department that offers the course. If still unsatisfied, the student must discuss the matter with the dean of the college in which the course is offered. A Student Government Association member may accompany and advise the student during the Level I procedures. Only after all attempts for resolution at Level I have been exhausted may the student initiate Level II.

### Level II: Appeal Screening

#### A. Composition:

Each year there shall be appointed a Grade Appeals Committee to determine the existence of the substantive basis for appeal. The committee will be composed of seven voting members: three faculty members appointed by APSCUF, three members elected by and from the Senate Academic Committee (one faculty, one administrator, one student), and one student appointed by the Student Government Association. A quorum consists of a majority of the committee. To take action, a majority of those present must be faculty members. If a quorum of the Level II committee is not available to meet within the designated time limits, the Provost's Office will seek additional members from the appointing bodies. If these bodies are unable to respond in a timely manner, the Provost's Office may select additional members from the appropriate groups.

#### B. Procedure to Initiate Appeal:

To initiate Level II of the appeal, the student must file an appeal form with the Provost's Office. This form must be filed within sixty (60) calendar days of the beginning of the semester immediately following the semester in which the grade was received. The Provost's Office may extend the sixty-day limit only in unusual circumstances when equity demands it and when the student's own procrastination or misunderstanding did not substantially contribute to the delay. (Note: Grade appeals will not generally be processed during the summer. Therefore, the appeal of any grade received in the spring or summer sessions normally will be processed in the fall. A review will be scheduled in the summer only when the student's academic eligibility is jeopardized by the grade in question or when the student is a graduating senior.) The Provost's Office will notify the appropriate dean, department chairperson faculty member, APSCUF president, and the Student Government Association's president of the student's initiation of the Level II process.

#### C. Procedure to Process Appeal:

The student will be expected to submit written documentation of his/her complaint, and the faculty member will be expected to submit in writing the course grading procedure and any other pertinent information. Appeals based on discrimination will be reviewed according to current standards of nondiscriminatory action. Appeals based on capriciousness will be reviewed in light of the faculty member's announced evaluation and grading system. The committee will review the materials to deny or confirm appeal continuance. Denial of appeal continuance must be by a negative vote of four members of the committee. This committee will inform the Provost's Office of its findings. Within five (5) class days of the receipt of the committee's report, the provost or designee will notify the student and the faculty member of the findings. If the basis for appeal is determined to be substantive, the provost or designee will schedule a Grade Review Panel within fifteen (15) class days to be convened prior to the conclusion of the semester.

### Level III: Appeal Review

#### A. Composition:

The Grade Review Panel will consist of five voting members: one academic dean or associate dean and four faculty members. The Student Congress Executive Committee designee may advise as requested by the student. The affirmative action officer will advise in appeals based on discrimination. The panel will be constituted from the Grade Review Pool by random selection. The panel chairperson will be elected by and from the panel before each review.

#### B. Membership:

The Grade Review Pool will be established in the spring term to serve for the following academic year. Using random selection methods, the pool and rotational order within the pool will be established by the Provost's Office. A pool of three deans or associate deans and twelve full-time faculty members will be maintained. In establishing the membership for each review panel, prior to each review the names of those designated as primary members of the specific panel and available as alternates will be supplied to all parties involved. A panel member may request (to the provost or designee) disqualification due to a conflict of interest. The student and the faculty member may eliminate names in proportion to the composition of the panel. Each may eliminate only one dean/associate dean and four faculty members. The instructor and the student will be supplied a list of all primary and secondary pool members. The opportunity to disqualify panel members will take place only once. Resulting vacancies will be filled from the appropriate pool of alternates so that the panel will be composed of one dean/associate dean and four faculty members. If through self-disqualification and challenges a panel cannot be constituted from the pool, then the Provost's Office will supplement the pool using appropriate random selection methods.

#### C. Procedure:

1. Both the student and the instructor will have the right to appear before the panel, present witnesses, and offer evidence. In addition to those specified in Level III, Section A, each may also bring one observer, with whom he or she may consult but who may not participate in the review.

2. The panel shall determine its rules of order for internal operation. After hearing the evidence brought forth, the panel will privately deliberate and render a decision. If the grade appeal is upheld, the panel will constitute a committee of three appropriate faculty members (knowledgeable in the discipline but excluding the faculty member against whom the complaint was lodged), who will review the student's work and recommend the appropriate grade or suitable remedy. The panel will incorporate this information in its determination, which it then forwards to the Provost's Office for implementation, ordinarily within thirty days. The Provost's Office will initiate the processing of grade changes resulting from Level III decisions. The Provost's Office will notify the student of grade changes resulting from Level III decisions.

3. The written report sent to the Provost's Office will state whether the student's appeal is upheld or denied; if upheld, the committee's evaluation and remedy will be included. Both the student and the faculty member have the right to review all documents related to the appeal. All documents supporting the report will be sealed and kept for one year to ensure the appropriate action is taken before they are destroyed or returned to the individual presenting the evidence.

4. The Level III decision is final for all involved parties.

#### **Ancillary Provisions**

**A. Continuing Rights:** This appeal does not supplant any legal rights afforded by the Commonwealth of Pennsylvania and/or the Government of the United States. Nothing in this policy abrogates or modifies any provisions of or rights under the Collective Bargaining Agreement.

**B. Discrimination in this policy generally means unlawful discrimination.** To the extent that any form of discrimination identified in this definition is not unlawful discrimination, this definition shall not be taken to create a cause of appeal against the university. In such cases, the final appeal procedures stated in this policy will be final and binding on the student.

**C. Tenure and Promotion Committee Membership on Grade Appeals Committees:** Members of the university wide tenure and promotion committees may not serve concurrently on grade appeals committees.

**D. Support Mechanism:** The Provost's Office, after consultation with the Senate Academic Committee and APSCUF, will be responsible for identifying a pool of at least ten faculty members well versed in the preparation of grade appeals who will be available upon request to help students or faculty prepare documentation for the grade appeals process.

**E. Training/Support:** The Provost's Office will offer yearly information sessions/workshops to assist deans, chairs, grade appeals panel/committee members, and members of Student Government Association/university in identifying issues and to provide guidance for the resolution of grade appeals.

**F. Dissemination of Grade Appeal Information:** The Provost's Office will annually report to the university community a statistical summary of grade appeal data that does not compromise confidentiality including (1) the number of appeals filed, (2) the resolutions at levels II and III, and 3) the final implementation of Level III decisions.

**G. Appeals on Procedural Grounds:** Decisions may not be challenged merely because the Provost's Office fails to comply with Ancillary Provisions D, E, or F above.

**H. Intentional Misrepresentation:** Intentional misrepresentation in the filing of grade appeals by students will be referred to the university judicial system for students. Intentional misrepresentation by faculty in the grade appeals process will be referred to the Provost's Office.

**I. Confidentiality:** Students, faculty, administrators, and staff involved in processing and hearing grade appeals must respect the confidentiality of all aspects of these proceedings. Those breaching confidentiality subject themselves to possible disciplinary action. This shall not abridge the First Amendment rights of the student appellant nor the instructor against whom the appeal has been filed.

**J. Intended Purpose:** The grade appeal procedures are designed simply as a means to resolve differences between students and faculty related to grading. Unless there is intentional misrepresentation, the results of a grade appeal may not be used for disciplinary action of personnel.

**K. Faculty Compensation:** If a Review Panel (hearing) is scheduled at a time in the summer when any faculty member involved is not under contract, the faculty member will be compensated under terms mutually agreed upon at Meet-and-Discuss.

**L. Review of Policy:** Every five years the Senate Academic Committee will review, in consultation with the campus community, the operation of the Grade Appeals Policy and recommend changes deemed appropriate.

**M. \* Amendment:** Amendments may be implemented upon concurrence by University Senate, APSCUF Representative Council, and Meet-and-Discuss.

**\*Note:** In the amendment process above, specification of University Senate implies the Council of Trustees' role in approving Senate actions and recognizes the Council of Trustees' final action to change policy.

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# HAZING POLICY

## HAZING POLICY

Center for Student Life 724-357-2598 and 724-357-1264

No recognized student organization, student or alumnus/alumna shall conduct nor condone hazing activities. Permission or approval by a person being hazed is not a defense.

### A. Definition

IUP defines hazing as "any action, situation, activity or complicity in activity, or any mental or physical requirement or request placed upon any new member, member affiliate, or alumnus which causes or has the potential to cause endangerment of the physical, emotional, or mental health or safety of the participant; physical or mental discomfort, pain, injury, fright, degradation, moral compromise, coerced sexual activity, or servitude; and/or the violation of any federal, state, or local law or rule or university policy, as directly or indirectly related to the initiation or admission into or affiliation with or continued membership in an IUP-recognized organization."

**The IUP definition of hazing includes, but is not limited to, the following:**

1. Any activity which endangers or has the potential to endanger the physical health of participants, such as paddling, whipping, kicking, striking, beating, pushing, shoving, tackling, branding, and ordering calisthenics.
2. Any activity which endangers or has the potential to endanger the mental health and/or academic performance of participants, such as not allowing adequate time for or interfering with academic commitments; activities conducted between the hours of midnight and 8 a.m.; and forced exclusion from social and/or verbal contact with any other individual.
3. Any activity which is or has the potential to be physically or mentally harmful, painful, or injurious, such as the forced or required consumption of alcohol, food, or drugs; excessive exposure to the elements; quests, scavenger hunts, kidnappings, or strandings; physical or psychological shock; and activities causing physical or mental fatigue.
4. Any activity which has the potential to be frightening, morally compromising, degrading, unduly embarrassing, deceptive, or promoting servitude, such as throwing items at or on the participant; carrying of items or wearing of apparel which is undignified; public stunts, verbal harassment, and beratement; requiring the participant to yell when entering or departing a physical structure or in the presence of designated individuals; the designation of "pledge entrances" or "exits"; running personal errands or servitude; intentionally creating labor or clean-up work; scant clothing requirements or nudity at any time; and deception designed to convince the participant of impending pain, injury, or non-initiation.
5. Any activity which is in violation of any federal, state, or local law or rule or university policy, such as the illegal use of alcohol or any controlled substance in any form or quantity as part of any new member-related activity and violation of IUP student behavior regulations, including unauthorized entry, "raids," possession/theft/destruction/damage of property, improper obstruction/disruption of university activities, abuse/harassment, and disorderly/obscene conduct.

### B. Presumptions

1. New member-related activities by nature must reflect the best interests of the new members, current members of the organization, the university, and the Indiana community.
2. For the purposes of this policy, any activity or situation, upon which the initiation or admission into or affiliation with or continued membership in an IUP-recognized organization is directly or indirectly conditioned, shall be presumed to be "forced," the willingness of an individual to participate is irrelevant.
3. The negligence or consent of the participant or any assumption of risk by the participant are not defenses to an action brought pursuant to this policy.
4. All IUP students and recognized organizations are responsible for abiding by this policy, both on campus and off campus, including privately owned facilities and/or property.
5. Recognized organizations are responsible for any activity in violation of this policy by any individual or group affiliated with the organization (new member, member, auxiliary, or alumnus), unless it is proven that the group or individual activity was independent of, and occurred without the knowledge or consent of, the recognized organization. Such responsibility will apply equally to situations in which one or more members knew or should have known of the activity and failed to make every reasonable attempt to prevent or stop it.
6. The filing of charges at IUP against a recognized organization does not preclude the filing of charges at IUP against an individual student nor the filing of civil and/or criminal charges against the organization and/or individual.

### C. Implementation

1. The officers, primarily the president, of each organization is responsible for informing new members, members, affiliates, and appropriate alumni/ae of this policy. This policy should be read by the president to the membership at the first meeting of the organization each semester and to the new members prior to the commencement of the first new member activity and should be posted in a prominent place for the new members and members to see.
2. The Hazing Compliance Agreement portion of the Organization Recognition Form must be completed and submitted to the Center for Student Life, 303 Pratt Hall, within thirty (30) days of the commencement of fall semester classes or the election of new officers to certify acknowledgement of all conditions of this policy.
3. All non-academic initiation or affiliation new member activities must be discontinued seven (7) days prior to the first day of the final examination period each semester and remain discontinued through the end of the final examination period.

#### D. Jurisdiction and Procedure

1. Charges of violations of this policy by a recognized organization should be filed in the Office of Student Conduct. Charges of violations of this policy by an individual student should be filed in the Office of Student Conduct.
2. Administrative hearings of alleged violations of this policy by a recognized organization will be conducted by the Recognized Organization Review Board (RORB), in accordance with policy as detailed in this publication.
  - a. In all cases of alleged violations of this policy, the organization advisor and general headquarters of the organization will be notified.
  - b. During the period of formal investigation or adjudication of alleged violations of this policy, all new member-related activities, organization activities, and/or university recognition of the organization may be summarily suspended in keeping with the university policy.
3. Administrative hearings of alleged violations of this policy by an IUP student will be conducted by the IUP Student Conduct System, in accordance with policy as detailed in this publication.
4. Recognized organizations and/or individuals also may be held responsible for criminal misconduct in violation of the Pennsylvania Anti-Hazing Law, considered a third-degree misdemeanor punishable by up to a year's imprisonment.

#### E. Violations and Sanctions

1. Violations of this policy by a recognized organization normally will result in the minimum sanction of a one (1) semester probation, seven (7) weeks of social, intramural, and/or recognition benefits suspension, and a revision of the organization's new member education program, with a maximum sanction of withdrawal of university recognition from the organization for a period of twelve consecutive regular academic semesters.
2. Repeated violation of this policy or violation of any probation enacted as a result of this policy by a recognized organization normally will result in the minimum sanction of a one (1) year probation and a one (1) semester suspension of social, intramural, and/or recognition benefits, with a maximum sanction of withdrawal of university recognition of the organization for a period of an additional twelve (12) consecutive regular academic semesters.
3. Violations of this policy by an IUP student will result in sanctions consistent with the IUP Student Conduct System, in accordance with a policy defined in *The Source* or penalties authorized by Pennsylvania Law.
4. For violations of this policy by a recognized organization, sanctions shall be defined as follows:
  - a. **Probation:** A specified length of time in which repeated violation of this policy or violation of other specified policies result in increased sanctions against the organization; no additional sanctions are necessarily implied by the imposing of a probation.
  - b. **Mandatory Activity:** The required participation by the organization in specified group activity, service projects, educational programs, or other assignments
  - c. **Final Restitution:** The repayment of the monetary value of damages, losses, or injuries within a specified period of time as a result of a violation of this policy.
  - d. **Social Limitation or Suspension:** A specific length of time in which the organization is denied formal or informal sponsorship of or participation in one or more of the following: inter- or intra-organizational social activities, formals, all-Greek or all-university events or activities, or any other event of a social nature.
  - e. **Intramural Suspension:** A specific length of time in which the organization may not participate in individual or team sports or the Greek intramural league, earn intramural points, or receive any championship titles.
  - f. **Suspension of Recognition Benefits:** A specific length of time in which the organization maintains university recognition but is denied one or more benefits of recognition which may include but are not necessarily limited to the following: Student Cooperative funding, use of university or Co-op facilities, office space or property, bulk mailing services, and/or specified other benefits made available through recognition.
  - g. **Withdrawal of University Recognition:** A specified or unspecified length of time or series of conditions in which university recognition is withdrawn and cannot be regained by the organization. The organization and any semblance of its membership ceases to function at the university, is denied all benefits of university recognition, and no longer falls under the jurisdiction of the university organization Student Conduct system. For the organization, or any semblance of its membership, to regain university recognition may involve the demonstration of evidence of organizational changes intended to eliminate the potential for repeated violations of this policy.
5. Mitigating or aggravating circumstances may be considered in order to fashion an appropriate sanction.



#### HIV POLICY

This policy addresses general principles, which the university agrees are essential for the entire campus. Detailed procedures consistent with this policy shall be developed by individual colleges and departments as necessary. These procedures will be submitted to the chairperson of the University HIV Committee for committee review before implementation.

1. No current or prospective member of the university community shall be required to receive an HIV antibody test or other diagnostic tests associated with HIV as a condition of admission or employment.
2. Persons with HIV are to be treated with respect and dignity. They are not to be discriminated against or denied any service due to them on the basis of existing or perceived HIV status. Complaints are to be directed to the affirmative action officer.

3. Persons with HIV shall continue their education and/or maintain their current jobs and work assignments as long as their health permits. Realizing the episodic nature of the illness and possible limitations brought about by their disability, persons with HIV may request reasonable accommodations be made to allow them to continue their employment or academic program of studies. Employees should direct requests for reasonable accommodations to the Office of Human Resources. Students should direct requests to the Office of Advising and Testing. The university, upon review, will attempt to accommodate requests to the extent it is operationally feasible.
4. Employees of the university who refuse or object to working with persons who have or are perceived to have HIV should be counseled and educated in
  - a. the nature of HIV
  - b. transmission of HIV
  - c. the commonwealth's and university's policies on HIV
 Should the employee continue to refuse to work with or provide service to those individuals, the person may be subject to appropriate progressive discipline up to and including dismissal.
5. Members of the university community with HIV have a responsibility to be aware of information and follow recommendations from the Center for Disease Control to prevent HIV transmission to others.

**Definitions:**

HIV (Human Immunodeficiency Virus) is a virus transmitted through direct exposure with HIV-infected blood, semen, vaginal secretions, and breast milk. HIV infection may severely impair the immune system, resulting in the body's not having its normal ability to combat diseases. This produces a spectrum of illnesses referred to as HIV Disease. AIDS is the most severe condition of HIV Disease.

**Responsibilities:**

The University HIV Committee is responsible for responding to HIV-related questions that arise.

**Procedures:**

1. It is incumbent upon individual colleges and departments to develop procedures regarding HIV, which reflect the unique needs of the department.
2. Confidentiality procedures will be strictly followed as outlined in the Management Directive 505.26 AIDS and HIV Infections in the Workplace. A copy of the Management Directive may be obtained through Human Resources.
3. All college or department procedures or documents pertaining to HIV will be reviewed by the University HIV Committee and legal counsel prior to implementation.
4. The University HIV Committee will provide technical assistance and support for procedure development. Current guidelines from CDC, OSHA, ACHA, the Commonwealth of Pennsylvania, and the Americans with Disabilities Act are available from the Pechan Health Center, Center for Student Life, Office of Human Resources, Office of the provost, Office of the Vice President for Student Affairs, and offices of AFSCME and APSCUF.

## INCLEMENT WEATHER POLICY

### INCLEMENT WEATHER POLICY

Indiana University of Pennsylvania is committed to the safety and security of its students, faculty, staff, and visitors. Therefore, the decision as to whether university classes or programs and events will be held during periods of adverse weather conditions is based on the overall concern for the university community. Because of the university's residential nature, the university will remain open and classes and events will continue as scheduled if at all possible during periods of inclement weather.

Should adverse weather conditions arise or be anticipated that would make it inadvisable to conduct classes or events on a given day, an announcement will be provided via the following:

- IUP website: [www.iup.edu](http://www.iup.edu)
- IUP telephone: 724-357-7538 (Operates 24 hours a day, please do not call University Public Safety during severe weather.)
- Radio: WDAD-AM 1450, WCCS-AM 1160, U-92 FM 92.5, WTAE-AM 1250, KDKA-AM 1020
- Television: KDKA-TV, WTAE-TV, WJAC-TV, WPXI-TV

Updates and/or announcements will be made and posted on the IUP web home page under the Emergency Information link. The university's inclement Weather Policy and Procedures is available at [www.iup.edu/weaterwpolicy](http://www.iup.edu/weaterwpolicy). Questions regarding the university's Inclement Weather Policy may be directed to the Office of Human Resources, 68 Sutton Hall, 724-357-1431.

**Cancellation of IUP-Sponsored Activities or Events in the Absence of University Closure:**

Should adverse weather conditions arise or be anticipated that would make it inadvisable to conduct an IUP-sponsored activity or event on a date when the university otherwise remains open, the sponsoring unit/department has the option to cancel or postpone the function. The sponsoring unit/department also assumes responsibility for notifying event participants of the cancellation/postponement in an appropriate and timely manner.



*Effective: March 6, 1995*

*Revised: October 16, 2000, September 4, 2007, March 10, 2008*

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## **INDIVIDUAL COURSE WITHDRAWAL POLICY**

### **INDIVIDUAL COURSE WITHDRAWAL POLICY**

**Office of the Registrar 724-357-2217**

The Individual Course Withdrawal Policy provides students who are unable to complete a course with the option of withdrawing from that course. This option should be taken only after other options have been discussed with the instructor and/or the student's advisor.

During the Fall and Spring semesters, Individual Course Withdrawals may be processed using URSA (University Records & Systems Assistant) between the day after the conclusion of the drop/add period and the end of the first two-thirds of the academic term, or part-of-term.

During summer parts-of-term, the deadline is the two-thirds point of each summer course for which the student is registered. After the two-thirds point of each semester or summer part-of-term, students may no longer process Individual Course Withdrawals.

A student needing to withdraw from a course after the deadline must process a Request for Exception to Course Scheduling Deadlines through the office of the dean of his or her college. Approval of the waiver is contingent upon documentation of catastrophic circumstances preventing the student from completing the semester. If a waiver is approved, the college office will arrange for recording the "W" designation.

Since instructors inform students of their unsatisfactory performance in class prior to the two-thirds point of the semester (Midterm Grade Report Policy), students will be able to discuss course withdrawals with instructors and/or academic advisors to assess alternatives. Students should be aware of the potential impact of course withdrawal on financial aid eligibility (percent of completion and eligibility to move to the next class level), athletic eligibility, and health insurance that require full-time status. Students are also cautioned to consider the detrimental impact of "Ws" in a transcript review by a prospective employer or graduate school.

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## **INTERNATIONAL STUDENT HEALTH INSURANCE REQUIREMENT**

### **INTERNATIONAL STUDENT HEALTH INSURANCE REQUIREMENT**

**Office of International Education 724-357-2295**

Indiana University of Pennsylvania requires all J and F visa holders to have the Medical Evacuation and Repatriation Insurance coverage sponsored by the university. IUP will provide students who are F and J visa holders with medical evacuation and repatriation insurance, billing each student for the insurance premium at the beginning of each academic semester. No waivers are permitted.

As defined by federal regulations, students who possess J visas also must carry a minimum level of health insurance coverage for themselves and any spouse and any dependent child/children. Students may select any health insurance policy that is in compliance with the following federal requirements. For the duration of stay in the U.S., students on a J visa must provide proof of insurance with at least \$50,000 major medical coverage. The deductible may not exceed \$500 per accident or illness. Insurance plans must be purchased from a company that is licensed to sell insurance in the United States.

Students on a J visa must maintain valid medical insurance for the entire period of enrollment at IUP. If, at any time, the university becomes aware that the student is not covered by an insurance plan that is in compliance with the federal regulations, the student will be contacted by the Office of International Education, and his or her immigration status will be in jeopardy.

Students who have commercial health insurance will also be required to pay the university health and wellness fee and any related health charges when seeking care on campus.

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# INVOLUNTARY WITHDRAWAL POLICY

## INVOLUNTARY WITHDRAWAL POLICY

Office of the Vice President for Student Affairs 724-357-4040

<http://www.iup.edu/page.aspx?id=127432>

### 1. PURPOSE:

The purpose of this policy is to provide a procedure for determining whether an identified student's behavior poses a Direct Threat (as defined herein) and for responding to such behavior. Rarely does student behavior pose a Direct Threat. However, involuntary withdrawal may be appropriate when:

- the student displays behavior which is not prohibited by and/or could not be adjudicated by the Student Behavior Regulations or the Academic Integrity Policy, but that nonetheless poses a Direct Threat; and
- the student demonstrates a risk of repeated display of such behavior.

### 2. POLICY:

In the absence of other reasonable means or University procedures available for addressing a student's behavior which poses a Direct Threat, the University will conduct an individualized assessment of the student behavior and circumstances related to the observed behavior of concern and, if appropriate, implement the involuntary, total withdrawal of the identified student from the University.

The student may appeal an involuntary withdrawal decision, or may seek reenrollment to the University at a later time, in accordance with the guidelines and procedures articulated below. The decision regarding an appeal or reenrollment request will be considered on the basis of whether the student continues to pose a Direct Threat.

The policy will be applied in a nondiscriminatory manner and decisions will be based on consideration of the student's conduct, actions, and statements, not on knowledge or belief that the student has a disability.

### 3. DEFINITIONS:

- A. **Direct Threat:** behavior which poses:
- significant risk to the health or safety of others, or
  - significant risk of damage to University property, or
  - substantial disruption to the activities or education of other students.
- B. **Significant Risk:** behavior which has a high probability (not just a slightly increased, speculative, or remote risk) of substantial harm to the University community, given information concerning the behavior that is available at the time of consideration.
- C. **Substantial Disruption:** behavior which continually and considerably interferes with other students' participation in academic, work, extracurricular, housing/residence life or other university-related activities.

### 4. PROCEDURES:

#### A. Review Process

1. When made aware of an identified student whose behavior could warrant involuntary withdrawal, the Vice President for Student Affairs (or designee) will convene and oversee an Involuntary Withdrawal Review Team to conduct an individualized assessment of the student behavior and circumstances related to the observed behavior of concern, and advise him/her whether or not a Direct Threat exists. Members of this team will include a representative from the Health Center, the Counseling Center, Disability Support Services, and the student's academic dean (or designee). Depending on the nature of a particular case, and in accordance with FERPA and other relevant laws, other individuals who can assist in evaluating the potential risk posed by the student's behavior may be identified to advise the Vice President and Review Team, including professionals qualified to interpret the information available for consideration.

The goal of the Vice President and Review Team will be to ascertain whether the student's behavior poses a Direct Threat. Factors to consider may include:

- the nature, duration, and severity of the risk of harm;
  - the likelihood that the potential harm will occur;
  - if the student asserts to have a legally protected disability entitled to reasonable accommodation, consideration should be given to whether reasonable modification of University policies, practices, and procedures would sufficiently mitigate the risk.
2. The Vice President and Review Team may request to review educational records and/or to consult with various University community members or others who may be knowledgeable of the student and/or the behavior of concern.
  3. The Vice President and Review Team may request that the student take part in a medical/psychological evaluation. In such a case, the Vice President and Review Team will identify a qualified and licensed health professional who is independent from the University to conduct the evaluation. The University will be responsible for the fees associated with this evaluation.

4. The Vice President and Review Team will request a personal meeting(s) with the student. Although it is highly desirable that the student choose to attend such a meeting(s), the review process will proceed if s/he does not attend. Furthermore, the Direct Threat review process will proceed regardless of the student's ongoing University status.

At the meeting(s), the Vice President and Review Team will present and discuss the information that is available for consideration. The student may choose to have an advocate accompany and take part with him/her in the meeting(s).

5. Based upon the Review Team's assessment, including consultation with professionals qualified to interpret the information available for consideration, the Vice President may conclude that a Direct Threat exists and, if so, will determine an appropriate next step, which may entail involuntary, total withdrawal of the student from the University, but would not preclude other actions depending on the particular situation.
6. The review decision will be communicated by the Vice President to the student, and will provide the primary information that led to the decision. Any conditions for later reenrollment will also be communicated at that time. The decision and related information will be communicated in writing to the student, and may be additionally communicated in other forms if the situation permits.
7. At any time prior to conclusion of the review process, the student may withdraw voluntarily.

**B. Appeal Process**

1. The decision of the Vice President may be appealed in writing by the student to the IUP President.
2. An appeal must be filed within 90 calendar days after the decision of the Vice President is communicated in writing to the student.
3. The President's decision on the appeal will be final and conclusive.
4. During the appeal process the student will remain totally withdrawn from the University.

**C. Reenrollment Process**

1. A student for whom the Vice President for Student Affairs concluded a Direct Threat exists may later request reenrollment to the University. A request must be made to the Vice President for Student Affairs. In his/her request, the student should provide evidence that s/he would no longer pose a Direct Threat, and that any conditions for reenrollment have been met. Such student is responsible for any fees associated with treatment, activities, and/or evaluations that s/he has taken part in or obtained in an attempt to demonstrate appropriateness for reenrollment.
2. The Vice President will convene and oversee the Involuntary Withdrawal Review Team regarding the reenrollment of the student.
3. The Vice President and Review Team may request an updated, independent, University-obtained medical/psychological evaluation and/or request to meet with the student. The University will be responsible for the fees associated with this evaluation.
4. The decision of the Vice President will be based on a determination of whether the student can return safely to the University community and no longer pose a Direct Threat.

**D. Emergency Situation**

At any time prior to the initiation or conclusion of the review process, the Vice President may implement an interim involuntary withdrawal of the student from the University, should immediate action appear warranted. A review process, as outlined above, will occur as soon as reasonably possible to consider the interim decision.

Reasonable deviation from these procedures due to crisis and/or emergency situations will not invalidate the need for a review process and its subsequent decision.

**5. RESCISSION:**

This policy will not be rescinded or modified except by action of the IUP President, following consultation with the University Senate, and in accordance with University Senate By-Laws and Constitution.

**6. PUBLICATIONS STATEMENT:**

The IUP office of the Vice President for Student Affairs will publicize and transmit this policy to all members of the University community.

**7. DISTRIBUTION:**

Code Description A All Employees

## LATE PAYMENT FEE POLICY

### LATE PAYMENT FEE POLICY

Student Financial Services 724-357-2207

Billing information is available 24/7 through *IUP EasyPay* accessed through URSA. E-bill notices are sent via IUP e-mail on the 28<sup>th</sup> of each month. If you are enrolled in one of our two installment payment plans, payment is due the 20<sup>th</sup> of the month. If payment is not made by the due date, students are assessed a \$30.00 late payment fee (maximum of \$120 per semester).

*Approved by the Council of Trustees on May 2011.  
Effective July 1, 2011.*

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## LIBRARY POLICY

### LIBRARY POLICY

Library 724-357-2340

1. Books are charged for circulation on each student's I-Card through a computer process.
2. Undergraduate and Library patron cardholders have a thirty-day check out period with two renewals possible. Master's students, doctoral students, administrators, and staff have a ninety-day loan period with two renewals allowed. Faculty will have a ninety-day check out period with three renewals allowed. Phone renewals are permitted as well as online renewals.
3. Fines for general overdue materials, except reserve materials, are \$.35 a day per book. The following schedule applies for all overdue reserve materials:
  - \$1 per hour or \$8 per day
  - Maximum fine per day \$8
  - Maximum fine limit \$40 per item
4. If it is necessary to return library materials at times when the library is not open, the book drop at the main entrance may be used. Reserve materials must be returned during regular hours of operation at the Reserve desk.

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## MENINGITIS VACCINATION POLICY

### MENINGITIS VACCINATION POLICY

IUP Health Service 724-357-6475

The College and University Student Vaccination Act requires that all students, prior to moving into University-owned and operated residence halls or apartments, must receive the vaccination for meningococcal meningitis or sign a document stating that the student has chosen to be exempted from receiving the vaccination for religious or other reasons. All residents are required to sign a document prior to moving into campus rooms/apartments stating that they are in compliance with the law. This statement of compliance with the College and University Student Vaccination Act will be obtained from the Office of Housing and Residence Life. The vaccination required is a quadravalent A,C,Y,W-135 vaccine. IUP recommends that residents have the vaccination prior to arrival on campus. Evidence of vaccination can be documented on the immunization certificate provided by Health Service or under separate cover from the medical provider administering the vaccine. All questions or documents can be directed to the IUP Health Service. <http://www.iup.edu/healthcenter/>

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# POLICIES AND REGULATIONS GOVERNING GENERAL FRATERNITIES & SORORITIES

## POLICIES AND REGULATIONS GOVERNING GENERAL FRATERNITIES AND SORORITIES

Center for Student Life 724-357-2598

### Statement of Relationship of General Fraternities and Sororities

#### Introduction

Since 1914, IUP has acknowledged that general fraternities and sororities can be a valuable component of the undergraduate experience. Fraternal organizations maintain, as their primary purpose, the enhancement of the student learning and growing process through activities encouraging leadership development, organization management, interpersonal and group dynamics, social awareness, philanthropic spirit, university loyalty, and career orientation and development, thereby earning them the privilege of university recognition.

A recognized general fraternity or sorority can complement the curricular and co-curricular experiences at IUP by enhancing opportunities for personal development of its members and providing significant contributions to the campus and community environments. If the group is successful in meeting these goals, the fraternal organization has fulfilled its purpose of providing members with the potential of a positive co-curricular experience.

To strengthen their positive presence and to ensure the continued contributions of its recognized general fraternities and sororities, IUP has adopted the Statement of Relationship of General Fraternities and Sororities. The statement details the relationship between each general fraternal organization and the university in terms of definition, obligations, benefits, and accountability. The statement details the criteria and means by which the potential of the membership experience is measured and reinforced.

The issuance of recognition by IUP to any organization or activity is not to be construed as approval by the university or agreement with any particular point of view that might be expressed by the organization, nor is it to be taken as approval of any or all activities in which the organization engages. The university does not, by issuing recognition or approval, assume responsibility for any damages that might arise from expressions or activities of student organizations.

#### University Recognition

##### A. Definition of a Fraternity or Sorority

A general fraternal organization is defined as:

A chapter of undergraduate men and/or women which has been chartered by a inter/national member organization and which satisfies the university criteria for recognition as defined within the statement. The organization maintains goals which are articulated by the chartering national sponsor, and these goals are interpersonal/fraternal rather than exclusively or primarily honorary, professional, religious, political, or social in nature. A recognized chapter and its chartering inter/national organization maintain a fraternal ethos of high ideals, principles, and values as enshrined in esoteric ritual and embodied in mission and practice consistent with the aims of the university.

##### B. Purpose and Statement of Relationship

University recognition is granted to a chapter, which contributes to the educational mission of IUP as defined by the statement. The university maintains the burden of proof to demonstrate that the chapter is not contributing to the educational mission of IUP, as determined through the formal hearing procedures defined by the statement, should the withdrawal of recognition be considered. University-recognized general fraternal organizations remain independent of the university and do not serve as agents or employees of the university. University recognition and accompanying benefits should not be misinterpreted as meaning that the chapter and its members are controlled by the university, that the university is responsible for the chapter's contracts or other acts or omissions, or that the university approves of the chapter's goals or activities in total.

Through recognition, the university enters into an agreement with each chapter only within the basic parameters applied to university recognition of any organization. There must be:

1. Commonality with IUP goals and standards
2. Adherence to university rules and regulations
3. Mechanisms for accountability
4. Provisions for the withdrawal of recognition should goals diverge or standards decline in ways that would expose the university to liability and/or should the chapter fail to provide the members with a positive educational experience as defined within this statement.

When Greek-letter organizations exist and operate with university recognition, the statement describes the relationship between the university and the chapter.

A complete copy of the Statement of Relationship can be obtained from the Center for Student Life, 724-357-2598.

<http://www.iup.edu/studentaffairs/policies/organ.shtml>

*The University Senate approved this policy on September 10, 1991.*

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## PRE-MATRICULATION IMMUNIZATION REQUIREMENT

### PRE-MATRICULATION IMMUNIZATION REQUIREMENT

IUP Health Service 724-357-2550

IUP requires documentation from all new freshmen and transfer students of all immunization dates. This includes the following vaccines: measles, mumps, rubella, tetanus-toxoid, diphtheria, and polio. See additional information, below, regarding immunization requirements for students living in university-owned residences.

Documentation can take the form of:

1. dates of vaccinations by the health care provider who gave them
2. date of illness with the disease diagnosed by a physician
3. serum antibody level as determined by a blood test

Individuals who were born after 1956 should receive a measles immunization prior to entering college. This may be a second measles immunization or the first vaccine within six months of entering college. A tetanus immunization must also be updated every ten years.

Additionally, the **College and University Student Vaccination Act** requires that all students, prior to moving into University-owned and operated residence halls or apartments, must receive the **vaccination for meningococcal meningitis** or sign a document stating that the student has chosen to be exempted from receiving the vaccination for religious or other reasons. All residents are required to sign a document prior to moving into campus rooms/apartments stating that they are in compliance with the law. This statement of compliance with the College and University Student Vaccination Act will be obtained from the Office of Housing and Residence Life. The vaccination required is a quadrivalent A,C, Y, W-135 vaccine, Menomune or Menactra manufactured and distributed by Sanofi Pasteur, Inc. IUP recommends that residents have the vaccination prior to arrival on campus. Evidence of vaccination can be documented on the immunization certificate provided by IUP Health Service or under separate cover from the medical provider administering the vaccine.

If a student is not adequately immunized, he/she will be allowed to enroll and attend classes during his/her first semester with the understanding that his/her second semester enrollment may be contingent upon obtaining necessary immunizations and documentation of immunity. Health Service will provide new students with a Student Health Form on which to document immunization status. Questions or requests for information about medical or religious exemptions to this policy should be directed to the IUP Health Service at 724-357-6475. <http://www.iup.edu/healthcenter/>

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## POLICIES AND REGULATIONS GOVERNING THE STUDENT CO-OP

### POLICIES AND REGULATIONS GOVERNING THE STUDENT CO-OP

Student Cooperative Association 724-357-2590

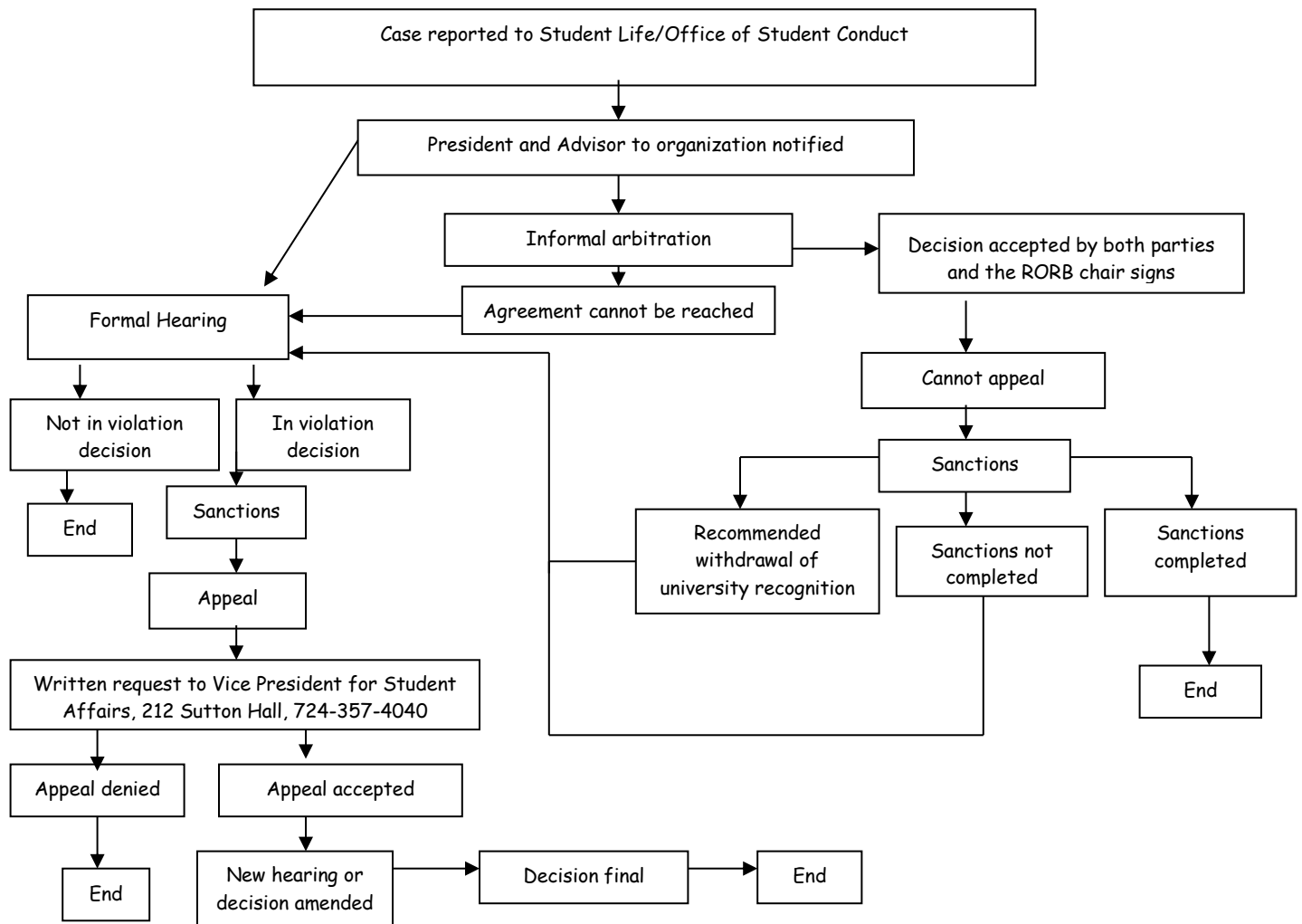
1. **Co-op Recreational Park**
  - a. A facility owned by the Student Cooperative Association.
  - b. Members of the association, recognized campus organizations, and the university have priority for scheduling university activities located at the Co-op Park.
  - c. Details on usage policies and reservation forms are available at the HUB Fitness Center front desk.
2. **I-cards**
  - a. The I-card serves as identification while at IUP and should be shown on demand to any regular representative of the university or the Student Cooperative Association. It is used for checking books out of the library, for cashing checks at the HUB bank, for use of HUB and IUP facilities, for checking out recreational equipment at the HUB or the Field House, for admission to all Student Co-op events, and for payment of fees at the Business Office. I-cards validated for meal plans are used to enter the dining hall facilities.
  - b. The Co-op Store requires the presentation of the I-card when paying for purchases by check, when selling books back to the store, and when returning merchandise for refund or exchange.
  - c. Students should be careful of the I-card and report its loss at once to the Hadley Union Building Front Desk. Alteration or misuse of the card is subject to fines up to \$25 and other disciplinary action.
  - d. Students who withdraw from the university during any term will be required to turn the I-card in to the Student Cooperative Association office.
  - e. The I-card is a permanent card, used for the duration of a student's career at IUP. Damaged or stolen I-cards will be replaced for a \$15 fee.
3. **Hadley Union Building**

The following regulations apply to the Hadley Union Building (HUB) and premises:

  - a. All regulations of the university apply at the HUB.

- b. The HUB is for the use of students, faculty, and staff of IUP and their registered guests.
  - c. Any person may be required to show identification at any time to any employee of the university or the Student Cooperative Association.
  - d. Entrance to the HUB may be restricted to I-card holders and their guests with guest passes for dances or other programs or circumstances. Guest passes may be obtained in advance at the Front Desk.
  - e. There shall be no gambling in the HUB or on the premises.
  - f. Possession or the use of alcoholic beverages or drugs in the HUB is strictly prohibited.
  - g. Any student found in the HUB at any time in an intoxicated condition or under the influence of drugs shall be subject to disciplinary action.
  - h. Any person who appears to be in violation of university regulations may be turned over to the University Judicial Board for appropriate action.
  - i. Any person or persons who appear to be in violation of any federal or state laws may be turned over to the appropriate civil authorities for legal action.
  - j. Anyone apprehended shoplifting in the HUB or the Co-op Store will be turned over to the civil authorities for legal action.
  - k. Anyone apprehended for defacing or destroying property, such as walls, furniture, or windows, will be turned over to the University Judicial Board.
  - l. An Association member may be deprived of his/her right to use Student Cooperative Association facilities for just cause. For student member(s), violations of the IUP Student Behavior Code shall be adjudicated through the IUP Judicial System, following university due process and procedures. For non-student members the "just cause" incident shall be investigated by the Executive Director and/or his designee and a decision regarding a non-student member's use of facilities rendered by the Executive Director. A non-student member may appeal the Executive Director's decision to deny his/her rights to the facilities to the Executive Committee of the Board.
  - m. Areas of Student Cooperative Association properties designated as public areas may be reserved only for activities open to the entire university community. Meeting rooms in the HUB may be reserved for recognized campus organizations for private meetings.
  - n. Policy on signs and posters: university students, staff, and organizations may place signs and posters on bulletin boards in the HUB. The HUB staff reserves the right to remove notices that are in poor taste.
  - o. These regulations may be revised or others may be added by action of the Board of Directors of the Student Cooperative Association.
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# RECOGNIZED ORGANIZATION REVIEW BOARD VIOLATION PROCEDURE



## RECOGNIZED ORGANIZATION REVIEW BOARD

Student Life/Office of Student Conduct 724-357-1264

### A. Introduction

IUP has established procedures for the recognition of clubs, organizations, and independent intramural teams. The responsibility for granting such status has been delegated to the Rules Committee of the Student Government Association (SGA) and the Center for Student Life. The Recognized Organization Review Board (RORB) has been established to process alleged violations of university regulations and to resolve disputes involving recognized groups through both informal and formal processes.

The list of offenses, which follows, is not to be taken to be exclusive as to the grounds that might lead to the issuance of discipline against an organization. The university reserves the right to discipline any recognized organization for any action (or any inaction in a situation where the representatives of the recognized organization has a duty to act) that an ordinary, reasonable, intelligent college student knows or should know might result in discipline. This simply means that the university reserves the right to issue discipline for reasonable cause. Such discipline may include, but is not limited to, suspension or withdrawal of recognition from the organization. The standard for determining discipline is objective, not subjective, and if an ordinary, reasonable, intelligent college student should have known that a particular action or inaction might lead to the issuance of discipline, the university may issue discipline, even if the particular recognized organization that is charged with the particular offense did not know that discipline might ensue. The provisions of this clause are incorporated by reference in any notice of misbehavior, so long as the notice fairly describes the act(s) or omission(s) with which the recognized organization is charged.



## **B. Duties**

The Recognized Organization Review Board shall fulfill the following duties:

1. Recommend changes to the RORB operating policies and procedures to the Senate Committee on Student Affairs (SCOSA) and the SGA Rules Committee.
2. Hear cases of alleged violations of university policy or regulations by recognized organizations and recommend, when necessary, appropriate sanctions to the Associate Dean of Student Life and Community Engagement and/or her/his designee.
3. To informally arbitrate: disputes which arise between organizations and their advisers; disputes between and within recognized organizations; concerns which arise regarding an organization's compliance with its constitution and/or by-laws or deviation from the purposes indicated at the time of recognition; and/or alleged violations of university policy or regulations by recognized organizations, as defined in Section V.

## **C. Board Membership**

1. The Student Government Association president-elect shall appoint three students from the SGA Rules Committee in the spring semester to serve on the RORB beginning the following fall semester. Service shall continue for the academic year. Two alternate members shall also be appointed from the SGA Rules Committee.
2. The Senate Committee on Student Affairs (SCOSA) shall appoint three members (two non-students and one student) from the committee in the fall semester to serve for one academic year. Two alternate members (one non-student and one student) shall also be appointed by the SCOSA.
3. Members of Greek organizations shall be recruited to serve on the RORB; any case involving allegations against a recognized Greek organization shall include minimally one undergraduate Greek-affiliated member on the RORB.
4. Student, staff, and faculty members on the University Student Conduct Board shall be eligible to serve on the RORB.
5. The Associate Dean of Student Life and Community Engagement and/or her/his designee shall chair the RORB. The chair will only vote on RORB decisions in the event of a tie.
6. Members of the RORB shall not be involved in adjudicating an alleged violation by an organization in which they hold membership or are personally involved to a degree that reduces their objectivity, as determined by the chair.

The Recognized Organization Review Board has delegated authority from the president of IUP to adjudicate student conduct cases involving recognized student organizations. University legal counsel may be called upon, as deemed necessary by the Office of Student Conduct/Student Life, to provide assistance with select cases.

## **D. Charges**

Charges of a violation of university policies or regulations or student behavior regulations can originate from any member or non-member of the university community. If charges originate from a non-member of the IUP community, the Office of Student Conduct/Student Life may determine an appropriate designee to assist in the presentation of the case. The testimony of non-university members may be used as in any hearing. Alleged violations involving breach of contracts, whether implied, assumed, inferred, verbal, or written contracts, between the student group and the contracting party shall not be within the jurisdiction of the RORB unless all the parties to the dispute are recognized student organizations.

Members of the university community bringing the charge must report the case in writing to the Office of Student Conduct/Student Life. Such incidents must be reported no later than fourteen (14) calendar days after the incident unless the Office of Student Conduct/Student Life waives the requirement of notification.

The president and adviser(s) of the recognized organization shall be notified in writing of the specific charges and be given a minimum of ten (10) calendar days' notice prior to a hearing. The notification shall include, but not be limited to: the specific charge, the name of the person referring the charge, a brief summary of the allegations that constitute the charge, and the time, date, and place of the hearing.

Should a recognized organization choose not to appear for a hearing, the case will be heard and adjudicated based on the available information.

## **E. Informal Hearings/Arbitration**

Disputes, mediation, and alleged violations normally referred to the RORB may be resolved through informal non-binding arbitration, according to the following conditions and procedures:

1. Informal arbitration is acceptable to all involved parties and the RORB chair.
2. All involved parties agree upon an RORB arbitrator chosen from the Recognized Organization Review Board. The RORB member chosen cannot be affiliated with any of the disputing parties.

3. In order to provide continuity in the arbitration process, the Associate Dean of Student Life and Community Engagement or her/his designee may provide consultation and advisement to the RORB arbitrator.
4. Following the completion of verbal discussion and resolution of the points of conflict, all involved parties accept all agreed-upon decisions, conditions, or sanctions and the length of time in which they will prevail. Except for withdrawal of recognition, the full range of sanctions available to the board may be considered.
5. An informal arbitration document is completed detailing these agreed-upon decisions.
6. The Associate Dean of Student Life and Community Engagement receives the completed informal arbitration document signed by all involved parties and affixes his/her signature upon the document indicating acceptance. Any conclusions agreed upon will then be confirmed in writing by the Associate Dean of Student Life and Community Engagement to all involved parties.
7. If mutually agreed-upon decisions and resolutions cannot be made, the grievances can then be filed by the offended party for a formal hearing before the RORB.

Following signatures, any violation of or failure to comply with decisions or conditions reached through successful informal arbitration will be viewed as a violation of university policy. Sanctions will be levied accordingly in the event charges are filed and an "in violation" decision is rendered through a formal RORB hearing.

#### **F. Formal Hearings (General Information)**

A minimum of four (4) RORB members, excluding the chair, will constitute a board. Board members must be present to hear all testimony. A simple majority of affirmative votes is necessary for an action to occur. The chair is a nonvoting member, unless there is a tie vote.

Any involved party, including the university, may challenge the objectivity of a board member. The board will determine by majority vote if these challenges will result in the dismissal of the member being challenged. Members of the board may challenge one another.

The person(s) filing the charge(s) must be present at the hearing to offer evidence unless s/he has been granted an alternate means of filing charge(s) by the Associate Dean of Student Life and Community Engagement or her/his designee.

Any involved party may identify an advisor, who may be an attorney, to be present at the hearing. An advisor may only consult and interact privately with their party.

When time constraints prohibit the regular appointment of an RORB (summer, final exams, or other non-class periods, etc), an interim RORB will be convened by the Associate Dean of Student Life and Community Engagement or her/his designee. The interim RORB has the same authority as the regularly appointed RORB.

The RORB chair has the following responsibilities:

1. To facilitate the hearing.
2. To determine whether the Board should request legal counsel.
3. To determine appropriate responses to any challenges that may arise during the hearing and consult with board members and/or legal counsel at any time regarding them.

The Associate Dean of Student Life and Community Engagement or her/his designee has the following responsibilities:

1. To handle the administrative duties of the RORB (scheduling hearings, facilitating correspondence, keeping records, etc)
2. To consult with the RORB on matters of policy and regulations.
3. To notify the involved parties of any sanctions that may be imposed by the RORB.

#### **G. Formal Hearings (Procedures)**

All formal hearings shall be digitally recorded. A digital recording will be provided to the requesting party at their expense upon submission of a written request.

Formal hearings shall be conducted in the following order:

1. The chair shall verify the acceptability of the board membership to all involved parties.
2. The accused party shall have the opportunity to enter a plea regarding the charge(s).
3. The referring party shall present its case utilizing supporting information.
4. The accused party may present relevant information to respond to the charge(s).
5. All parties shall be afforded an opportunity for submission of relevant information and questioning of all parties.

General Guidelines for RORB Hearings:

1. The RORB shall not be bound by formal rules of evidence. However, all evidence must be inherently reliable.
2. The RORB shall review all materials and hear all evidence pertinent to the case from the referring party, the accused, and all witnesses. Members of the RORB shall be free to ask relevant questions in order to clarify information or resulting issues.

3. An organization's previous disciplinary record shall not be used to determine whether a policy violation occurred in a current case. However, the RORB may consider such a record to determine the appropriate disciplinary sanction.
4. All formal hearings are closed unless any involved party requests an open hearing. Such a request must be made in writing to the Associate Dean of Student Life and Community Engagement no less than one (1) working day before the hearing. Under no circumstances shall a hearing be open if this would cause a violation of FERPA or other applicable law.
5. Throughout an open hearing, the chair may regulate the access of spectators. The chair shall have the power to do what is necessary to maintain decorum during the hearing. The board may, by majority vote, order the removal of any person or persons who disrupt the hearing.
6. During exams, only informal arbitration may take place, except in special circumstances or emergency situations as determined by the Office of Student Conduct/Student Life.
7. If during or after a hearing it is determined that witnesses intentionally misrepresented the facts of the case in their testimony, they may be held in contempt of the RORB and referred to the University Student Conduct board for "C16 Dishonesty/Fraud." If this misrepresentation is discovered after a hearing, the board will review the evidence to determine whether the case should be reopened and/or a new hearing scheduled.

The Office of Student Conduct/Student Life shall retain the digital recording of the RORB hearing for minimally seven (7) years following the completion date of any sanction(s).

#### H. Sanctions

1. A RORB may impose a single or multiple sanctions from the sanctions listed below.
2. Any sanction may be put on hold or "stayed" from implementation for a specified period of time to be determined by the RORB.
3. Bias motivated offenses may result in stronger sanctions. Such offenses are defined as any offense wherein the accused organization intentionally selects the alleged victim because of the victim's race, disability, color, religion, national origin, gender, age, marital status, sexual orientation, or inclusion in any group or class protected by state or federal law.
4. Sanctions which may be imposed include the following:
  - a. **Disciplinary Warning:** A written warning may be given to the organization that indicates that it has been found "in violation" of an IUP regulation and that failure to comply with IUP regulations in the future may result in referral to the RORB to be handled as a second offense. A warning remains in effect for a specific period of time, as determined by the RORB.
  - b. **Disciplinary Probation:** Disciplinary Probation, is an indication that an organization's status at the university is seriously jeopardized. During the probationary period, if the organization is found "in violation" of another policy/regulation, a more serious sanction will be levied, including possible suspension of recognized benefits or withdrawal of university recognition. Disciplinary Probation is in effect for a specific period of time, as determined by the RORB.
  - c. **Mandatory Activity:** The required participation by the organization in specified group activity, service projects, educational programs, or other assignments.
  - d. **Financial Restitution:** An organization may be required to pay for damages to property, including but not limited to, personal and university property, and/or for personal injury. Payment will be made under guidelines determined by the Office of Student Conduct.
  - e. **Social Limitation or Suspension:** An organization may be denied formal or informal sponsorship of, or participation in, one or more of the following for a specified period of time: inter- or intra-organizational social activities, formals, all-Greek or all-university events or activities, or any other event of a social nature.
  - f. **Intramural Suspension:** A specific length of time in which the organization may not participate in individual or team sports or the intramural league, earn intramural points, or receive any championship titles.
  - g. **Suspension of Recognized Benefits:** A specific length of time in which the organization maintains university recognition but is denied one or more benefits of recognition which may include, but are not limited to: Student Cooperative Association funding; use of university or Co-op facilities, office space or property; bulk mailing services; and/or specified other benefits available through recognition.
  - h. **Withdrawal of University Recognition:** A specified or indefinite length of time in which university recognition is withdrawn in whole or part, or conditionally. The organization and any semblance of its membership ceases to function at the university, is denied all benefits of university recognition, and no longer falls under the jurisdiction of the RORB. For the organization, or any semblance of its membership to regain university recognition it may be asked to demonstrate evidence of organizational changes intended to eliminate the potential for repeated violations of this policy.

Any reasonable sanction(s) may be imposed by the Recognized Organization Review Board. Sanctions not listed previously may be imposed, if reasonable, upon approval by the Vice President for Student Affairs.

#### I. Appeals

1. Grounds for Appeal: Upon receiving notification of the outcome of a case, either party may appeal the decision of the RORB in writing for any of the following reasons:
  - a. Denial of a fair and reasonable hearing
  - b. New evidence (applies when there is an acceptable reason to explain why the evidence could not be presented at the original hearing)
  - c. Inappropriate sanction

2. Procedure for appeal:
  - a. The accused organization or referring party must present a written request listing the specific reason(s) for the appeal to the Vice President of Student Affairs within ten (10) calendar days of notification of the decision. The ten-day requirement may be waived by the Vice President of Student Affairs where extenuating circumstances prevail and only if the grounds for appeal are met.
  - b. The Vice President of Student Affairs may deny the appeal or direct the appeal to be heard by an appellate committee chaired by the Vice President of Student Affairs or her/his designee and consisting of one member of the Student Government Association Rules Committee and one member of the SCOSA. Members of the RORB who heard the original case may not serve on this appellate committee. Furthermore, two of the three members of this appellate committee must agree to any changes that are made to the RORB's original decision and sanction(s).

**J. Summary Sanctions**

In cases where allegations indicate an immediate and substantial danger to persons or property, the Office of the Vice President of Student Affairs may summarily sanction an organization. Such summary sanctions may include withdrawal of university recognition.

Within ten (10) calendar days of the issuance of a summary sanction, a hearing will be convened to review the appropriateness of that sanction. The board may either continue or suspend the summary sanction, pending a full hearing on the allegations.

Following the interim decision, procedures to arrange a full RORB hearing shall begin. This RORB hearing should follow the normal timeframes, providing ten (10) calendar days' notice of the hearing and shall occur as soon thereafter as can be conveniently scheduled.

*Approved by the University Senate, February 2004*

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## SCHEDULING UNIVERSITY FACILITIES

### **SCHEDULING UNIVERSITY FACILITIES**

Office of the Registrar - Scheduling Center 724-357-2217 (option #2)

#### **General Policy**

University and non university groups may use campus facilities at the Indiana, Northpointe, and Punxsutawney campuses only when the planned activity is consistent with the Mission Statement of the university. Requests for space from non university groups will be considered only after the needs of university users are addressed.

#### **Priorities**

University facilities may be reserved for extracurricular or temporary use only when such proposed use does not conflict with scheduled teaching assignments or other properly scheduled events. The priorities for the use of University facilities are:

1. Teaching
2. Related internal university use
3. Use by outside groups

#### **Administration**

The president, provost, vice presidents, deans, scheduling director, and specifically designated nonacademic division directors are the only individuals authorized to approve application for temporary or extracurricular use of university facilities.

The responsibility and authority to determine the eligibility requirements for users of university facilities and grounds for extracurricular programs, to develop policies and procedures to certify eligibility, and to administer eligibility practices is delegated to the Facilities Utilization Subcommittee, with the final approval of the president and vice presidents.

#### **Intended Use**

No university facility can be used for personal use (i.e., no weddings, birthday parties, high school reunions, etc.) Entities formed for the principal purpose of the advancement of a singular candidate or political party are not eligible to use university facilities or grounds. Hazardous activities are prohibited.

#### **University Advisor/Sponsor Responsibilities**

University advisors/sponsors are responsible for ensuring that facilities users adhere to the policies and procedures established for the use of University facilities for extracurricular activities. The university advisor must attend the event and possess an approved Request/Permit.

The university advisor/sponsor is responsible for making all the necessary arrangements for audiovisual equipment, parking, security, special cleaning requirements, etc. Arrangements must be confirmed with the appropriate departments at least five working days prior to the scheduled event. Building access must be arranged through University Police by the requestor. The university sponsor is responsible for

payment for all damages to university property, furnishings, or equipment that occur as a result of their program. The university sponsor is responsible for any labor costs accrued beyond those routinely provided that are essential to their program. Overtime is charged when required.

#### **Food, Alcohol, Tobacco**

University Catering Services must be used for on campus events that require food service.

Alcohol may not be served at events unless expressly approved by the appropriate vice president. Alcohol may not be sold under any circumstances. The university sponsor assumes direct responsibility for compliance with the laws of the Commonwealth of Pennsylvania.

The use of tobacco in reserved university facilities is prohibited.

#### **Security**

The university may require security services at any extracurricular event at the expense of the sponsor.

#### **Reservations**

No space will be held for any organization until a reservation form is completed and approved. When absolutely necessary, the reservation centers and the administrators through whom facilities are reserved may rescind confirmation of a reservation or may relocate a confirmed reservation. When at all possible, reasonable notice will be provided. Confirmed reservations may not be transferred to another group or used for purposes other than those for which the Request/Permit was issued. Confirmation of a reservation may be rescinded due to violations of policy or procedure.

#### **Scheduling Priorities**

Colleges, schools, departments, offices, recognized organizations, and other university agencies will be given priority for scheduling all university facilities without cost when the facilities are used for university business. Although some facilities were constructed primarily for the use of certain constituencies, the university reserves the right to schedule any facility in a manner which best serves the interests of the entire university community.

Academic use, i.e., scheduled courses and examinations, will be given first priority in facility scheduling (except in the case of Fisher Auditorium, as is explained below). Traditional university activities which have normally occurred at the university on a regular basis and which are open to the entire academic community will receive priority over other events. Activities should normally be scheduled in the kinds of facilities for which the facilities were constructed. Auditoriums in Sprowls (McVitty), Stouffer (Beard), and Eberly College of Business are to be scheduled on a priority basis with academic functions being considered first. Fisher Auditorium was developed for other kinds of university activities, which will be given top priority. The Student Cooperative Association, the Foundation for IUP, and the IUP Alumni Association are considered university agencies for the purpose of scheduling university facilities.

#### **Procedures for Use by University Groups**

Most university facilities are scheduled through the Scheduling Center in Clark Hall. The following facilities, however, may be scheduled directly by contacting the person or office listed with signature approval by the appropriate dean/vice president:

- For scheduling **Breezedale**, contact the Alumni Office.
- For scheduling the **S&T Board Room** or the **G. G. Hill Conference Room**, both in the Eberly College of Business, contact the dean of the College of Business.
- For scheduling **Fisher Auditorium**, contact the Fisher Auditorium technical director.
- For scheduling **McElhaney seminar classrooms**, contact the dean of the College of Humanities and Social Sciences.
- For scheduling **Memorial Field House**, contact the associate athletic director for Facilities.
- For scheduling the **Memorial Field House Pool and the Zink Hall Pool**, contact the director of Aquatics.
- To schedule the **Miller Track and Field complex**, contact the associate athletic director for Facilities.
- For scheduling the **Oak Room West and Folger Catering Area**, contact IUP Dining Service.
- For scheduling **parking lots**, contact the director of Public Safety.
- For scheduling **Student Cooperative Association facilities**, contact the front desk of the Hadley Union Building.
- For scheduling the **Sutton Hall Board Room**, contact the Office of the President. The President's Office may preempt the use of the Board Room at any time.
- To schedule space in the **University Museum**, contact the museum director.
- For scheduling the **Zink Dance Studio**, contact the Department of Health and Physical Education.
- For scheduling **Zink Hall Gym A & B**, contact the chairperson of the Department of Health and Physical Education.

University facilities not listed above are to be scheduled through the Scheduling Center. Facilities will be used by university groups with the following considerations:

1. Requests from student groups or organizations officially recognized by the university must bear the signature of the organization's advisor. When approval of such requests is given, it is with the understanding that the activity will be closely supervised by the advisor and by other representatives of the organization. The advisor and the organization will be responsible for control of the activities, for any damage to the facility, and for overtime costs required to provide adequate custodial, technical, and security support.
2. Student organizations charging an admission fee or requesting a donation must secure authorization from the Director of Center for Student Life at least three weeks prior to the event in order to confirm the reservation of a facility. When the facility is used by an officially recognized student organization for a fund-raising activity of a nonacademic nature or when a student group charges an admission fee or requests a donation, a charge of twenty-five percent of the facility usage fee normally paid by non university groups will

be assessed. This will help defray overhead costs. If the fund raising is for a charitable cause, only fees to cover actual university-incurred expenses will be assessed.

3. To the extent possible, users should submit their requests for the use of facilities to the Scheduling Center or the facility coordinator prior to the beginning of each fall, spring, and summer session. This is especially important in the case of formal social and cultural arts activities (see number 6 below). When housekeeping and/or maintenance work is required, maintenance requests should be submitted to the maintenance department at least ten working days prior to the scheduled event. When maintenance is not required, requests to schedule a facility should be submitted at least three working days prior to the scheduled event. If an event must be canceled, the Scheduling Center or facility coordinator should be notified within a minimum of two working days preceding the scheduled event; failure to provide the specified advance cancellation notice will result in billing at the rates established for non-university group rentals as specified in the reservation contract. For events that require a special setup (chairs, lectern, tables, etc.), arrangements must be made with Maintenance. Time before and after the event should be allotted for setup and cleanup and should be reserved in addition to the time reserved for the event itself. For events that require food service, arrangements must be made with IUP Dining Service. For events that require a sound system, audiovisual equipment, and/or additional sound equipment, arrangements must be made with Media Resources. For events that require security, arrangements must be made with the IUP University Police Department. The user is responsible for notifying Maintenance, IUP Dining Service, and the IUP University Police.
4. Nonacademic regularly scheduled meetings should be held in classrooms whenever possible in order to protect the availability of other facilities for special events.
5. If any university person or group requests a facility for a fee bearing activity in which off-campus persons or groups are involved (e.g., a regional, state, or national conference), this request must receive the approval of the School of Continuing Education before it can be processed by the Scheduling Center.
6. Social and cultural activities will generally be scheduled on a first-come basis. The Scheduling Center will have the authority to schedule an activity into a facility, which it deems most appropriate for the activity in question. Requests of this nature should normally be submitted to the Scheduling Center no later than the first day of the fall, spring, and summer sessions. Other requests will be considered according to the availability of space.
7. A university person or group may not act as a sponsor for a non university organization for the purpose of avoiding the fee payment as outlined on the list of charges for non university users. Any known violation of this policy will result in a fee assessed to the individual reserving the facility. Future use of a facility could be denied.
8. The university reserves the right to deny repeat access to any facility if it is abused.
9. Specific policies exist concerning the use of Breezedale, the Blue Room, Fisher Auditorium, and Gorell Recital Hall.

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## SEXUAL HARASSMENT, UNIVERSITY POLICY ON

**SEXUAL HARASSMENT, UNIVERSITY POLICY ON**  
OFFICE OF SOCIAL EQUITY AND CIVIC ENGAGEMENT  
<http://www.iup.edu/page.aspx?id=11411>

Effective August 24, 2003  
Revised August 8, 2008  
Revised February 29, 2012

Indiana University of Pennsylvania is committed to maintaining a learning and work environment that is free from sexual harassment and sexual violence. Acts of sexual harassment seriously undermine the atmosphere of trust and respect that is essential to a university community. Moreover, sexual harassment is legally prohibited and will not be tolerated. Sexual harassment is a form of sex discrimination that is prohibited under Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and the Pennsylvania Human Relations Act. It is imperative that all employees, students and vendors comply with both the spirit and intent of federal, state and local laws, government regulations and court orders which relate to sexual harassment. It is the purpose of this policy to define prohibited conduct and provide guidance on the procedures for addressing complaints.

All students, managers, administrators, faculty, staff, and vendors have a responsibility to adhere to the contents of this policy. Members of the university community are encouraged to report complaints of sexual harassment promptly in accordance with the Sexual Harassment Complaint Procedures set forth. Any persons found to be in violation of this policy will be subject to disciplinary action up to and including expulsion for students and termination for employees.

IUP prohibits retaliatory action against persons filing an informal or formal complaint of sexual harassment or any person cooperating in the investigation of such a charge, as a complainant, respondent, witness or other participant. Nor will the university tolerate knowingly false charges of sexual harassment. Acts of retaliation or knowingly false charges shall constitute misconduct subject to disciplinary action up to and including expulsion for students and termination for employees.

To the extent possible, all complaints of sexual harassment shall be considered confidential and only those persons who are necessary for the investigation and resolution of the complaints will be given information regarding the matter. As much as possible consistent with the University's legal obligations to protect the rights and security of its employees and students, the university will respect the confidentiality of both the complainant and the accused.

Questions about the Sexual Harassment Policy should be referred to the assistant to the president for Social Equity, B17 Susan Snell Delaney Hall, at 724-357-3402.

Information about the [Definition of Sexual Harassment, Complaint Procedures, How to Conduct an Investigation, Where to File a Complaint, and Where to Find Support and Services](#), can be found on the IUP website. At <http://www.iup.edu> insert the words into the search engine "Sexual Harassment Policy Social Equity IUP" and click on the link to the policy.

## **Title IX: SEXUAL HARASSMENT AND SEXUAL VIOLENCE**

OFFICE OF SOCIAL EQUITY

<http://www.iup.edu/page.aspx?id=115577>

IUP is committed to a work environment free from any form of sexual harassment or sexual violence. The IUP Sexual Harassment Policy prohibits sexual harassment and sexual violence and provides reporting procedures.

The university's Title IX coordinator is Dr. Rhonda Luckey, vice president for Student Affairs: [Rhonda.Luckey@iup.edu](mailto:Rhonda.Luckey@iup.edu). The coordinator's responsibilities include overseeing the university's process related to all complaints of sexual misconduct and identifying and addressing any patterns or systemic problems that arise during the process of investigation.

Reports of sexual harassment and sexual violence, including dating violence, domestic violence, and stalking should be reported to the following:

### **To File a Complaint:**

- Alleged student perpetrator: Office of Student Conduct, 724-357-1264
- Alleged employee perpetrator: Associate Vice President for Human Resources, 724-357-2431
- Neither student or employee perpetrator: University Police, 724-357-2141

### **For Support and Services:**

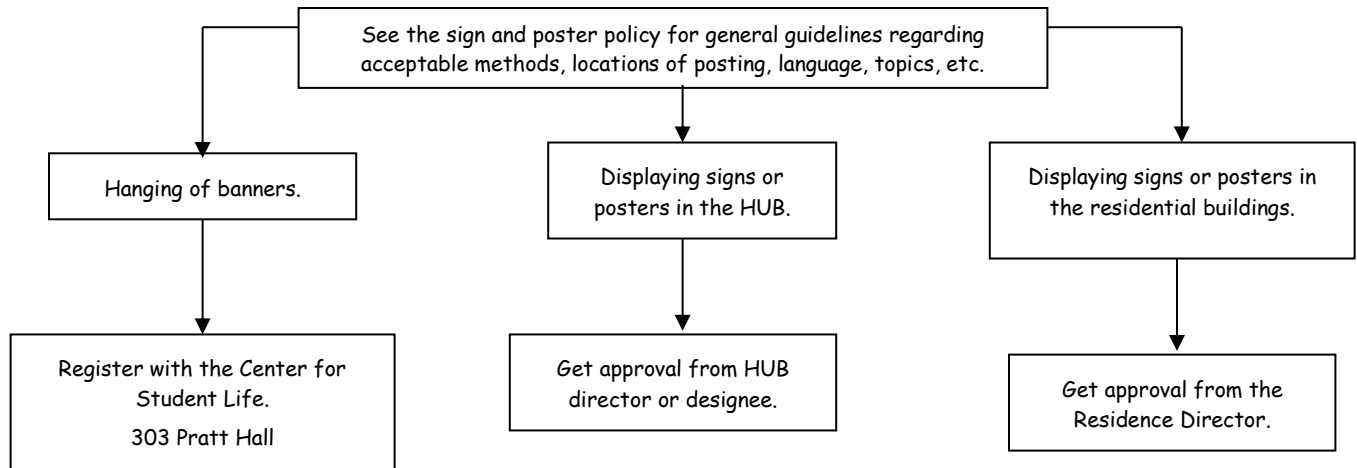
- Haven Project, Health AWAREness  
Suites on Maple East, Suite G-59  
901 Maple Street  
Phone: 724-357-4799  
[Health-awareness@iup.edu](mailto:Health-awareness@iup.edu)

Title IX of the Educational Amendments of 1972 prohibits discrimination based on sex. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by this federal law. When incidents of sexual harassment or sexual violence, including domestic violence, stalking, and dating violence, occur and are reported to campus security authorities, IUP takes immediate and effective steps to end sexual harassment and sexual violence. Retaliation against individuals reporting sexual harassment and/or sexual violence will not be tolerated and will be addressed through the appropriate university process (University Police, Student Conduct, Human Resources). Questions about IUP's Title IX policy and protocol can be directed to Dr. Rhonda Luckey, IUP's Title IX coordinator, vice president for Student Affairs, at [Rhonda.Luckey@iup.edu](mailto:Rhonda.Luckey@iup.edu), 724-357-4040, 211 Sutton Hall. The U.S. Department of Education, OCR oversees Title IX compliance. Questions may be addressed to Office for Civil Rights (OCR).

Resources: Supporting Students with Concerns

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## SIGN AND POSTER POSTING PROCEDURE



### SIGN AND POSTER POLICY

Center for Student Life 724-357-1264

The following policy governs the display of signs, posters, notices, and banners affixed on university-owned or operated property and on property under the ownership and/or supervision of the Student Cooperative Association. It is the responsibility of the person, group, or organization to become familiar with these guidelines and regulations. The following guidelines were developed in order to encourage the advertising of activities and events while preserving the attractiveness and general condition of campus and Co-op properties.

#### A. General Guidelines

1. Posters and signs shall be placed on bulletin boards or notice boards but shall not be placed on top of existing current notices.
2. All posters must indicate an event date or expiration date so that appropriate staff members may remove signs in a timely manner.
3. Masking tape must be used to affix signs and posters. The use of thumbtacks or staples is permitted only on cork-type bulletin boards.
4. Signs or posters shall not be placed on any glass area of the university, including windows, doors, or partitions. Signs or posters shall not be placed on exterior building walls. Signs or posters are not to be placed on any glass, which covers bulletin and/or notice boards.
5. Signs or posters shall not be affixed to trees or other plant life on campus, to park benches, or to trash receptacles on campus.
6. Banners may be posted in the Oak Grove by presenting the banner to the Center for Student Life in 303 Pratt Hall. Banners are to be hung by maintenance staff personnel only.
7. The use of chalk for advertisements and announcements is permitted with water-soluble chalk on sidewalks only. Chalking is not permitted on the exterior surface of buildings, walls, steps, exterior patios or building foyers, or any vertical surface, except as authorized by the appropriate University official.
8. Posters, signs, or chalkings found to be in violation of this policy will be removed by building and grounds staff and processed as appropriate through the Office of Student Conduct.

#### B. Relevant Policy Considerations

1. The posting of signs or posters encouraging, promoting, or advertising alcoholic beverage consumption is prohibited (see IUP Alcohol Policy).

#### C. Residential Building Guidelines

1. The general guidelines listed above must be followed.
2. The posting of signs or posters within the residential buildings is the responsibility of the specific resident director. A list of the resident directors can be secured from the Office of Housing, Residential Living and Dining (G37 Suites on Maple West). It is the responsibility of the individual(s) to secure approval from the resident director prior to affixing signs within a residential building.

- D. Unapproved signs or posters will be removed by the appropriate staff member. Staff members are instructed to remove any poster or sign that does not adhere to the requirements listed above in "General Guidelines."

#### Hadley Union Building (HUB)

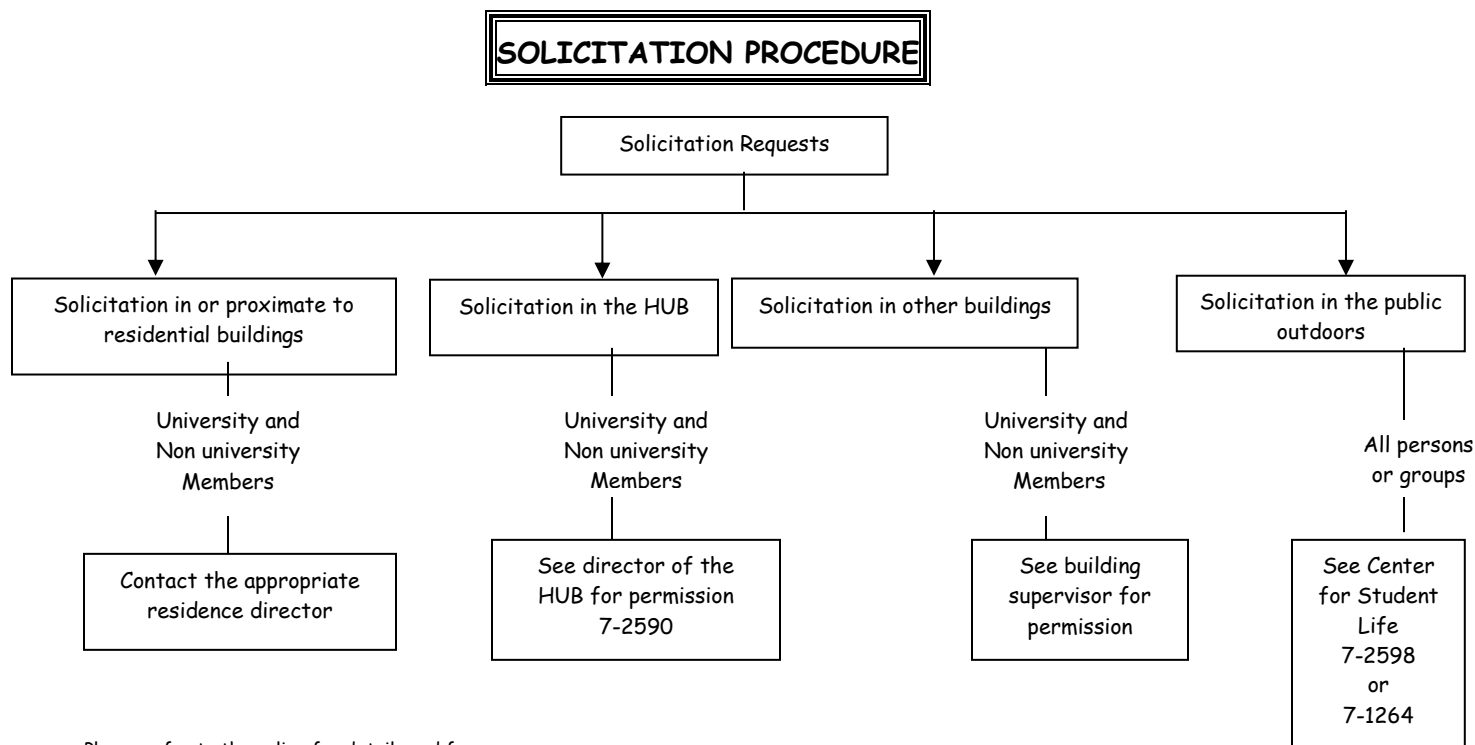
1. The Student Cooperative Association will reserve portions of bulletin boards for its own use and use by individuals, groups, associations, organizations, and corporations.
2. The HUB staff reserves the right to regulate the size and form of signs and/or posters.
3. Advance approval must be obtained from the HUB director or designee prior to the posting of signs or notices for any non university activity or enterprise.
4. Approval to place signs or posters in any location other than on bulletin boards must be secured from the HUB Front Desk.



## Violations

Recognized student organizations found to be in violation of the Sign and Poster Policy, upon investigation by the Office of Student Conduct, may immediately lose university recognition.

*Revised and Adopted by University Senate (February 24, 2009)*



## SOLICITATION POLICY

Center for Student Life 724-357-1264

### A. Definitions

As used in these regulations, the term

1. "Solicitation" refers to the act of approaching another (in person, by mail, or through any electronic medium) with the intent to petition or request support (e.g., monetary support or personal commitment). Examples of solicitation include distributing literature, holding meetings, conducting surveys, and placing advertisements on bulletin boards.
2. "Commercial solicitation" refers to the solicitation of a sale of any lawful consumer product or service. Commercial solicitation includes the demonstration or explanation of such products or services. The term does not include the solicitation of sales of newspapers, magazines, journals, and similar printed media. Contract sales of newspapers and journals are, however, considered to be commercial solicitation.
3. "Noncommercial solicitation" refers to sales of newspapers, magazines, and books and acts of solicitation that do not involve an attempt to sell consumer products or services. Examples of noncommercial solicitation include political campaigning or lobbying; meetings of religious groups; or cultural associations.
4. "Fund-raising for noncommercial purposes" refers to fund-raising by a nonprofit educational, charitable, political, or religious association, organization, or corporation for the purpose of generating funds to support the entity's educational/charitable/political/religious activities or the educational/cultural/social missions of the university. The term includes the making of donations and can encompass sales as well as commercial and noncommercial solicitation.
5. "Group solicitation" refers to solicitation involving a gathering of more than two persons at the same time.
6. "Sale" refers to an actual transaction (e.g., the exchange of money, the signing of a written contract or the making of a binding contractual commitment to purchase a product or service).
7. "Recognized campus organization" means any group, association, organization, or corporation officially recognized by or officially affiliated with the university or any organization whose primary mission as determined by the student affairs office of the university is to further the educational/social/cultural missions of the university.
8. "Outside individual, group, entity, association, organization, or corporation" refers to individuals who are neither university students nor university employees and to groups, entities, associations, organizations, and corporations that are not officially recognized by

or affiliated with the university. The term includes university employees and students when they are conducting solicitation on behalf of themselves individually or when they are acting on behalf of groups, entities, organizations, associations, or corporations not officially affiliated with or recognized by the university.

**B. General Requirement**

Solicitation activities as outlined in these regulations will be permitted on campus, provided the particular activity has complied with the specific procedures outlined in these regulations and provided the activity does not create undue noise or disruption or interfere with the activities that normally occur in the area in question or any activities which are being carried out by the university at that particular time. The university reserves the right to regulate the time, manner, and location of any and all solicitation activities on campus. The university will issue a fee of fifty dollars (\$50.00) to outside individuals, groups, associations, organizations, and corporations engaged in the sale of consumer products for the privilege of soliciting anywhere on campus.

**C. Solicitation and Facility Use in University Residential Buildings**

**1. General Requirements and Prohibitions**

- a. Solicitation and facility use in the main floor lounge area and upper floor lounge areas. Priority in granting permission for the use of the foregoing facilities shall be on a first-come, first-served, space-available basis, subject to the following priorities:
  - 1) Residents of a building who wish to use the facilities for purposes directly related to their academic program of study and/or for social, recreational, educational, and cultural purposes shall have first priority.
  - 2) University students who do not reside in the residential buildings and recognized campus organizations and organizations affiliated with the university shall have second priority.
  - 3) Outside individuals, entities, associations, corporations, groups, or organizations that have received approval from the Office of Housing, Residential Living and Dining shall be given third priority.
- b. **Registration**
  - 1) Outside individuals, entities, groups, associations, organizations, and corporations are required to request approval to solicit in the residential buildings from the Residence Director of the facility a minimum of three (3) days in advance.
  - 2) Recognized campus organizations shall be required to request approval to solicit in residential buildings with the Residence Director of the facility a minimum of three (3) days in advance.
- c. **Door-to-Door Solicitation**

No door-to-door solicitation is permitted in residential buildings by an individual or group. Activities that advance the mission of the university as determined by the Office of Housing, Residential Living and Dining may be authorized.
- d. **Solicitation in Residential Rooms/Suites/Apartments**

The occupant of a residential room/suite/apartment will be permitted to invite individuals, groups, organizations, associations, and corporations to conduct group or individual commercial and noncommercial solicitation in his/her residential room/suite/apartment, provided that such activity does not create undue noise or disturb either the occupant's roommate(s) or occupants of nearby rooms. These gatherings may not extend into the hallways.
- e. **Access to Residential Students' Mailboxes**

The university will allow only stamped U.S. Postal Service mail, official campus mail, individually addressed mail, and mail from the Residence Hall Association (RHA) and the Office of Housing, Residential Living and Dining to be placed in residential students' mailboxes.
- f. **Bulletin Boards**

The university will reserve portions of bulletin boards for itself and for individuals, groups, associations, organizations, and corporations that have priority under section C1 "General Requirements and Prohibitions." (Please refer to Sign and Poster policy within The Source for specific details.)
- g. **Group Sales**

The university will limit all group sales of consumer goods and services to the main floor lounges and upper floor lounge.

2. Special Rules Governing Donations to Political/Cultural/Educational/Religious Organizations and Sales of Newspapers, Books, and Other Printed Media include:

Individual distribution of newspapers/books/other printed media, as well as the individual solicitation and making of donations to political/cultural/educational/religious organizations, shall be permitted in the residential buildings to the extent that the invitation and registration requirements set forth in section C1 "General Requirements and Prohibitions" are met.

**D. Other University Buildings/Facilities**

In all other university buildings/facilities (i.e., library, dining halls, academic buildings), solicitation is prohibited unless expressly approved by an authorized official of the university. If solicitation activities are permitted in these facilities, the following procedures must be followed:

1. Recognized campus organizations shall be required to request permission to engage in commercial or noncommercial solicitation activities with the building supervisor a minimum of ten (10) days in advance.
2. Outside individuals, entities, groups, associations, organizations, and corporations shall be required to request from the individual building Supervisor permission to solicit a minimum of ten (10) days in advance.

**E. Public Outdoor Areas**

1. All activities involving commercial solicitation and/or fund-raising for noncommercial purposes in public outdoor areas must be requested and approved a minimum of ten (10) days in advance by the Center for Student Life.

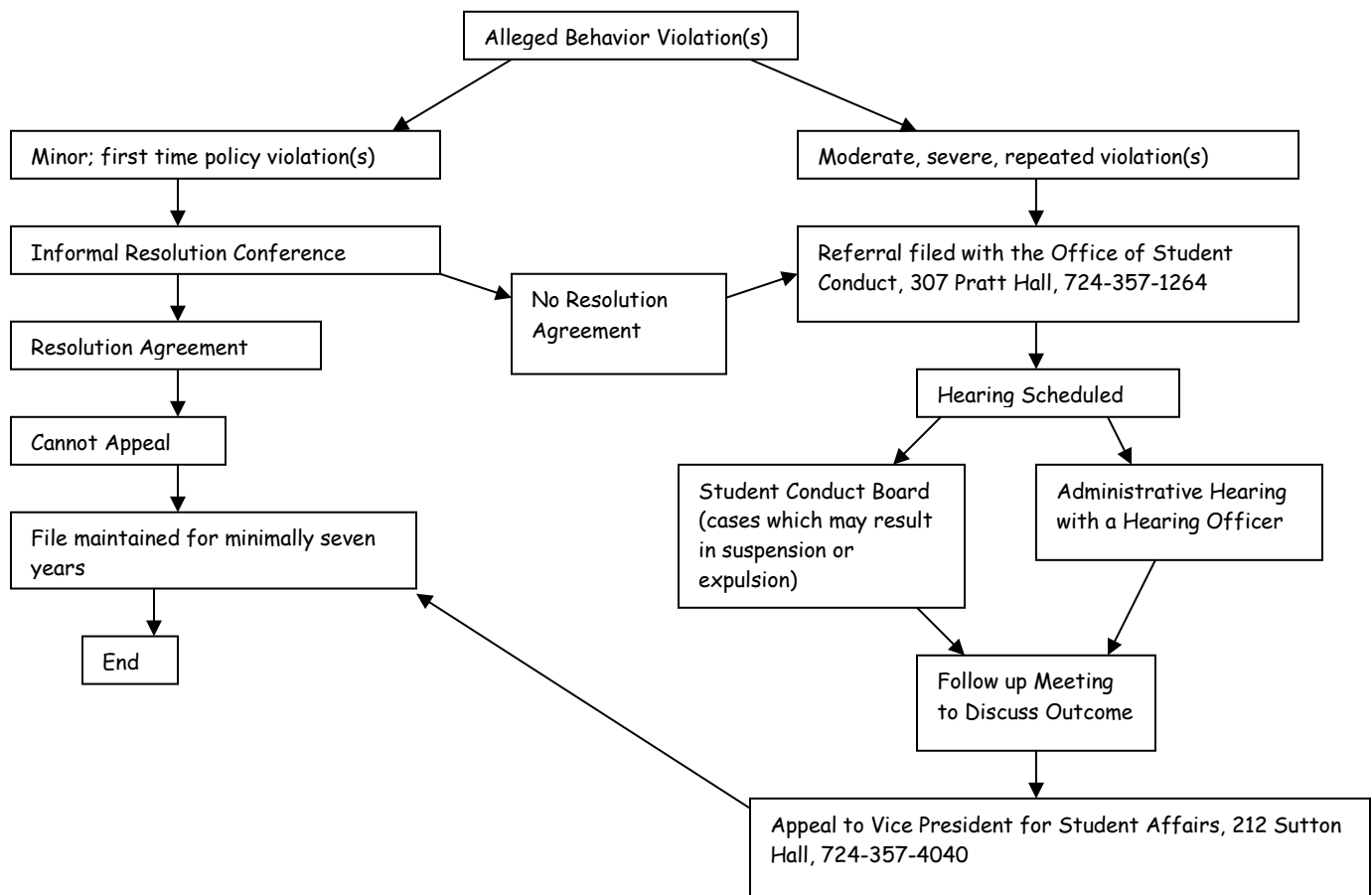
2. Individual sales and distribution of newspapers/books/other printed media shall be permitted on all walkways and outdoor areas open to the public, subject to the provisions of this policy.
3. Leafleting shall be permitted in outdoor campus areas.

NOTE: Information concerning solicitation activities on Student Cooperative Association property can be obtained from the Hadley Union Building, or by calling 724-357-2590.

*Approved by University Senate on March 12, 1996*

## STUDENT CONDUCT POLICIES AND PROCEDURES

Office of Student Conduct (OSC) 724-357-1264  
[www.iup.edu/studentconduct/default.aspx](http://www.iup.edu/studentconduct/default.aspx)



### POLICIES AND REGULATIONS REGARDING STUDENT BEHAVIOR Office of Student Conduct 724-357-1264

#### A. Introduction

IUP is an academic community within the society at large. As a community, the university has developed a code of standards and expectations that are consistent with its purpose as an educational institution. IUP reaffirms the principle of student freedom, coupled with an acceptance of full responsibility for one's behavior and the consequences of such behavior. As a member of the academic community and of the larger society, a student retains the rights, protection, guarantees, and responsibilities which are held by all citizens. The University conduct system does not eclipse, in intention or application, the constitutional rights and guarantees of students.

When responding to behavior that violates federal, state, and local laws and ordinances, the university does not replace the criminal justice system or other responses in the larger community. The student should expect to be held accountable for her/his behavior

through both the legal system and the university student conduct system. The primary function of the student conduct system is to adjudicate alleged policy violations by students that occur on campus. The University reserves the right to adjudicate violations by students in off-campus locations when those violations might adversely affect the University community.

The Office of Student Conduct (OSC) supports the academic mission of the university by encouraging behavioral change in the student while protecting the rights of the members of the university community and by promoting security, responsible behavior, civility, openness, justice, and respect. Through enforcement of university policies and procedures a student is challenged to take responsibility for her/his actions, demonstrate respect for her/him self, property, and other individuals, and develop skills that will enhance lifelong problem solving, communication, and decision-making abilities.

Parent(s)/guardian(s) can have significant influence over their student's choice to follow the behavioral expectations of the university and are welcomed as partners in the student conduct process in accordance with the provisions of the Family Educational Rights and Privacy Act (FERPA).

## **B. Definitions**

1. The term "university" shall refer to the community of faculty, staff, and students at IUP, as well as to premises and facilities.
2. The term "University premises/facilities" shall mean all buildings or grounds owned, leased, operated, controlled, or supervised by the University or the Student Cooperative Association or other recognized University affiliates.
3. The term "student" shall include any person currently enrolled, in the process of registration, or who will be registered for an academic term, course, program, or activity at the University within the next academic year. Persons who withdraw from the University after allegedly violating one or more student behavior regulations and persons who are not officially enrolled for a particular term, but who have a continuing relationship with the University are also considered "students."
4. The term "faculty member" shall mean any person employed by the university who holds academic rank or performs teaching or research duties.
5. The term "staff member" shall mean any person employed by the university or the Student Cooperative Association who is not considered faculty.
6. The term "adjudicator" shall refer to any University official or Student Conduct Board authorized by the University to impose sanctions upon any student(s) found to have violated one or more student behavior regulations (see section "G. Adjudicator Structure and Selection").
7. The term "referring party" shall refer to any person who submits a statement to the Office of Student Conduct alleging a student has violated one or more student behavior regulations.
8. The term "accused student" shall refer to any student accused of violating one or more student behavior regulations. Within this document, the term "student" can refer to one or multiple students.
9. The term "witness" shall refer to any person who has been identified by the referring party and/or the accused student as having relevant information concerning the alleged violation of one or more Student Behavior Regulations.
10. The term "victim" shall refer to any person who alleges that s/he has been directly impacted by the misconduct of the accused student. The term "victim of violence" shall refer to a victim who alleges that s/he has been assaulted (assault is defined by Student Behavioral Regulations "C7a Assault" and "C7c Attempted or completed sexual assault"). A victim of violence shall be afforded the same information and rights in the university student conduct process as those afforded to a referring party.
11. The term "advisor" shall refer to any person identified by an accused student or victim to consult privately with that person during University student conduct meetings and/or hearings.
12. The term "University regulation" shall mean any written policy of the University as found in, but not limited to, this document, the contracts for residential rooms/suites/apartments (including dining contracts), the University website, and the graduate and undergraduate catalogues.
13. The term "sanction" shall mean one or more consequences or requirements imposed by an adjudicator on a student found to have violated one or more Student Behavior Regulations.
14. The term "organization" shall mean a group of persons who have complied with University requirements for registration or recognition.
15. The term "university (sponsored) activity" shall mean any activity on or off campus, which is initiated, aided, funded, authorized, or supervised by the university or the Student Cooperative Association (Co-op).
16. The terms "will" and "shall" are to be used in the imperative sense, not imparting a choice.
17. The term "may" is to be deemed permissive, imparting a choice.
18. The terms "Vice President for Student Affairs", "Associate Dean of Students of Campus Living and Learning", and "Associate Dean of Students, Student Life and Community Engagement", refer to individuals holding those positions or their designees.
19. The term Student Cooperative Association (Co-op) shall mean the organization, funded by student activity fees, incorporated to provide educational, literary, social, recreational and cultural benefits of the students and faculty of Indiana University of Pennsylvania and to operate a bookstore and other facilities.

## **C. Student Behavior Regulations**

The list of offenses which follows is not meant to be exclusive as to the grounds that might lead to the initiation of the student conduct system which may lead to sanctions being imposed against a student. The university reserves the right to discipline any student for any action (or any inaction in a situation where the student has a duty to act) that an ordinary, reasonable, intelligent college student knows or should know might result in discipline. This simply means that the university reserves the right to issue discipline for reasonable cause. The provisions of this clause are incorporated by reference in any notice of misbehavior, so long as the notice fairly describes the act(s) or omission(s) with which the student is charged.

The university maintains the right to amend its rules and to make such amendments effective immediately upon appropriate public notification of students.

The following actions and/or behaviors are expressly prohibited. It is the responsibility of each student to become familiar with these regulations.

1. **Unauthorized Entry/Unauthorized Use**
  - a. Attempted or completed entry into or use of university facilities or property without authorization.
  - b. Attempted or completed entry into the property of any individual, group or entry without authorization
2. **Property**
  - a. Theft or other unauthorized possession of University property or the property of any individual, group, or entity.
  - b. Destruction and/or damage to University property or to the property of any individual, group, or entity.
3. **Event Registration: Facilities Use**

Violation of policies or regulations governing the registration of student organizations, events on campus, and/or use of university facilities.
4. **Alcohol**
  - a. Possession of alcoholic beverages on university premises or facilities except as provided in the University Alcohol Policy.
  - b. Possession of alcoholic beverages off campus by individuals under the age of twenty-one or illegal possession by an individual.
  - c. Consumption of alcohol on university premises or facilities (including underage drinking) except as provided in the University Alcohol Policy.
  - d. Consumption of alcohol off campus by individuals under the age of twenty-one.
  - e. Excessive use of alcohol resulting in a state of intoxication that endangers oneself or other members of the community. Excessive use includes (but is not limited to) use resulting in a need for medical attention, inability to function without assistance, unconsciousness, inability to recall events, incoherent or disoriented behavior, loss of control of bodily functions, and/or having a blood alcohol level of .16 or more.
  - f. Driving while under the influence of alcohol (blood alcohol level above .08 for individuals over twenty-one; blood alcohol level over .02 for individuals under the age of twenty-one).
  - g. Sharing, furnishing, and/or distributing alcohol by persons of any age to persons under the age of twenty-one, including, but not limited to, charging admission to a social event where alcohol is served, hosting or organizing a social gathering where persons under the age of twenty-one consume alcohol, and/or providing alcohol.
5. **Transportation**
  - a. Violation of university regulations and Student Cooperative Association (Co-op) policies governing the use of automobiles, motorcycles, or other motor vehicles parked or driven on university property and designated parking areas.
  - b. Skateboarding, in-line skating, and bicycling on university property in a manner that cuts, grinds, or that may deface the edges of steps and other property is prohibited.
  - c. Bicycles will be operated in a safe manner on campus and riders will comply with state and local regulations governing the use of bicycles.
6. **Obstruction/Disruption**

Obstruction or disruption of teaching, research, administration, disciplinary procedure, or other university activities including its public service functions, or of other authorized activities, and/or the performance of duties of University personnel.
7. **Assault/Harassment/Sexual Assault/Stalking**
  - a. Assault- physical conduct which threatens or endangers the health, safety, or well being of any person or group. Abuse includes (but is not limited to) hitting, kicking, slapping, punching, pushing, and/or spitting on another person or persons.
  - b. Harassment - Repeated, severe or pervasive actions directed towards specific individual(s) with the intent or effect to harass or alarm including actual, attempted or threatened physical contact or acts that serve no legitimate purpose.
  - c. Attempted or completed sexual assault - includes (but is not limited to ) sexual penetration, oral sex, genital contact, and/or touching of a sexual nature that is perpetrated against the will of the victim by a person or persons known or unknown to the victim. This includes engaging in sexual behavior with a person who is unable to consent because of mental impairment (including impairment by intoxication and/or other substances).
  - d. Stalking - Repeated conduct toward another person including (but not limited to) willfully following and/or contacting someone verbally, in writing, by telephone, electronic media, a third party, or by any other means with the intent and/or effect of creating fear or emotional distress.
8. **Drugs**
  - a. Paraphernalia - Any equipment, product or material of any kind (containing evidence of any illegal drug and/or controlled substance) that is primarily intended or designed for use in planting, growing, harvesting, manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, smoking, or otherwise introducing into the human body a controlled substance. Examples include, but are not limited to items such as bongs, roach clips, miniature spoons, syringes, and various types of pipes.

- b. Illegal Possession/Personal Use of Drugs and/or Controlled Substances - Examples of illegal and/or controlled substances include but are not limited to cocaine, heroin, morphine, marijuana, ecstasy, gamma hydroxyl butyrate (GHB), amphetamines, solvents, oxycontin, methamphetamines, anabolic steroids, and lysergic acid diethylamide (LSD).
- c. Sharing, Furnishing, and/or Distributing Drugs - The action, intent, and/or possession of materials used for sharing, distributing, delivering, manufacturing, and/or selling drugs and/or controlled substances except as expressly permitted by law.
- d. Misuse of Medications or Other Substances- misuse of over the counter medications, prescriptions, and/or other legal materials or substances, creating potential danger to self or others.
- e. Driving while under the influence of drugs.

**9. Disorderly Conduct**

Behavior that disrupts or interferes with the orderly functions of the university and/or would be considered lewd or indecent by a reasonable person including (but not limited to) voyeurism, public urination/defecation, public exposure of private body parts, etc.

**10. Noncompliance**

Failure to:

- comply with the direction of an authorized University or Student Cooperative Association official acting in the performance of her/his duties.
- provide identification when requested to do so by a University or Student Cooperative Association official, including Community Assistants.
- comply with the direction of any person responsible for a facility or registered function who is acting in accord with those responsibilities.
- fulfill any sanction(s) levied as a result of a student conduct proceeding.
- meet with an authorized University or Student Cooperative Association official or staff member when directed to do so.

Note: The individuals referenced above must identify themselves and state the reason for a directive.

**11. Contractual Obligations**

Failure to honor all contracts with and debts to the university (including terms and conditions of the "Residence Hall Housing License Agreement and Dining Services Contract," the "Housing License Agreement for Apartment Living", the "Suite Housing License Agreement and Dining Services Contract") and/or to the Student Cooperative Association.

**12. Weapons/Explosives**

Possession and/or use of any weapon, which is any object used to inflict a wound or cause injury. This includes but is not limited to: possession and/or use of firearms, ammunition, knives, swords, nun chucks, stun guns, BB guns, look-alike weapons, or explosives, such as fireworks, unsecured compressed air cylinders, or dangerous chemicals, except as authorized for use in class, in connection with university-sponsored research, or in another approved activity (provisions may be made to store firearms with the University Police).

**13. Fire/General Safety**

- a. Fire Safety - Tampering with safety devices including (but not limited to) alarm systems, fire extinguishers, exit signs, smoke/heat detectors, fire hoses, etc. Failure to conform to safety regulations (including but not limited to) falsely reporting an incident, failure to evacuate facilities in a timely manner in emergency situations or in response to fire alarms, inappropriate use of the fire alarm system, etc. In addition, individuals are responsible for the safe use and disposal of outdoor grills, tobacco products, and other fire-related items in areas authorized for such use.
- b. General Safety - Conduct that unreasonably or recklessly threatens or endangers the well being of any person is prohibited.

**14. Arson**

Illegally setting, attempting to set, creating, or causing a fire.

**15. Gambling**

All forms of gambling are prohibited unless a license has been secured and approval to solicit has been granted by the appropriate university office. Gambling consists of the payment of a consideration or fee for the chance to win a prize, the winner of which is determined by chance.

**16. Dishonesty/Fraud**

Dishonest or fraudulent behavior, such as forgery, alteration, or misuse of documents, records, or identification (including but not limited to I-cards, credit cards, debit cards, pin numbers, and/or computer usernames/passwords), or knowingly furnishing false information to university or Student Cooperative Association officials. Academic dishonesty and fraud are covered by the Academic Integrity Policy and Procedures.

**17. Complicity**

Presence during any violation of university policy in such a way as to condone, support, or encourage that violation. (NOTE: Students who anticipate or observe a violation of university policy are expected to remove themselves from the situation and are encouraged to report the violation.)

**18. Other**

Apparent or alleged violation of federal, state, and local ordinances and other university regulations as prescribed in this handbook, a housing license agreement, the university catalog, and other official university publications, including publications on the University website.

**D. Jurisdiction**

The primary function of the student conduct system is to adjudicate alleged policy violations by students that occur on campus. The university reserves the right to adjudicate violations by students in off-campus locations when those violations might adversely affect the University community.

Referrals of alleged behavioral violations will be adjudicated through the university student conduct system which is coordinated within the Office of Student Conduct, 307 Pratt Hall.

**E. Procedures**

**Pre-hearing Procedure**

1. Charges of a violation can originate from any member of the university community and shall be reported to the Office of Student Conduct within 15 calendar days of the incident unless justifiable circumstances, as determined by the Office of Student Conduct, make such notification impossible or impractical.
2. A designated university official within the Office of Student Conduct will review the case and determine whether the case should be adjudicated by the student conduct system, and, if so, whether the case will be handled in an informal resolution conference (IRC), assigned to a hearing officer, or heard by a university Student Conduct Board. In cases involving multiple accused students and/or multiple incidents, the Office of Student Conduct will determine if the students and/or incidents are to be adjudicated together or separately.
3. If an informal resolution conference (IRC) is scheduled, the accused student will be notified of the expectation to participate in resolving minor first-time policy violations that do not require investigation. An informal resolution conference involves a meeting between the accused student and an assigned adjudicator to discuss the charge(s). If the student and the adjudicator reach an informal resolution of the charges, an appropriate sanction or sanctions will be issued and kept on file at the University according to the records policy (see "Records and Recording Keeping").
4. A student conduct hearing will be scheduled under the following circumstances:
  - a. If the accused student and the IRC adjudicator fail to reach an informal resolution.
  - b. If the IRC adjudicator determines that the charges require further examination.
  - c. If a designated university official determines that the case is of moderate severity.
  - d. If the alleged incident involves more than one individual and a hearing is necessary to complete a thorough examination of the allegations.
  - e. If the outcome of the hearing may result in removal from/loss of university-owned/operated housing, stayed suspension, suspension, or expulsion.
5. If a student conduct hearing is scheduled, the accused student shall be informed in writing of the alleged violation(s), the date(s), time(s), and location(s) of the alleged violation(s) and a summary of the actions which led to the charge(s). Notification of charges against the student shall also include, but is not limited to, the following information:
  - a. The date, time, and location of the hearing.
  - b. Whether the case will be adjudicated by a hearing officer, a Student Conduct Board, or a Special Interim Student Conduct Board.
  - c. Information regarding due process rights afforded the student prior to and during the hearing.
6. A student will be given a minimum of three (3) calendar-days' notice prior to appearing before the assigned adjudicator. In cases assigned to a Student Conduct Board, the student will be given a minimum of ten (10) calendar-days' notice between notification of the charges and appearance before the assigned Student Conduct Board.
7. The accused student (and alleged victim(s) of violence, if involved) may select an advisor to advise him/her at the student conduct proceeding. The advisor may consult and interact privately with the accused student or alleged victim(s) during student conduct proceedings. The advisor is not permitted, however, to represent the accused student or alleged victim(s).
8. The accused student may waive in writing his/her right to a hearing and accept one or more sanctions as determined by the adjudicator. The sanction(s) will reflect the severity of the current charge(s) against the student, as well as any previous disciplinary record. A student who waives his/her right to a hearing forfeits any right to appeal the sanction(s) as determined by the adjudicator.
9. Students who are considered an immediate or substantial threat to themselves, others, and/or property may be issued an interim suspension by the Office of the Vice President for Student Affairs (see section "K. Interim Suspensions.")

**F. General Guidelines for Student Conduct Hearings**

Students who do not participate in an informal resolution of the charge(s) against them shall participate in a student conduct hearing. Guidelines used by hearing officers or Student Conduct Boards include:

1. The accused student shall have his/her case heard by an impartial adjudicator.
2. In situations where the original referring party is no longer available or cannot attend the hearing for unavoidable reasons, the referring party may send a proxy to the hearing to represent him/her throughout the proceedings.
3. The referring party will present charges and relevant information and may ask questions of all hearing participants.
4. The accused student shall have a fair and reasonable opportunity to answer, explain, and defend her/himself against charges presented at the hearing, to present information and to call relevant witnesses to appear on his/her behalf.

5. If the accused student chooses not to appear before the assigned adjudicator, her/his case will be adjudicated based upon the information presented at the scheduled hearing.
6. Witnesses will be asked to provide relevant information and to respond to questions from the referring party, the accused student, and the hearing officer or Student Conduct Board members/chairperson. Witnesses who are not victims of violence are not permitted to ask questions of hearing participants.
7. In cases involving allegations of violence, victims will be treated as a referring party for the purposes of the student conduct hearing.
8. All student conduct hearings are closed except to designated/approved participants.
9. The accused student and alleged victim(s) may select an advisor to advise her/him at the student conduct proceeding. Other witnesses may request the presence of an advisor, subject to the approval of the hearing officer or Student Conduct Board chairperson. The advisor may consult and interact privately with the accused student or alleged victim(s) during student conduct proceedings. However, the advisor is not permitted to have a verbal role in the proceedings.
10. To the extent permitted by law, an alleged victim of violence may choose to be present throughout the entire hearing or s/he may opt to provide his/her information at the designated time only.
11. The accused student may waive in writing her/his right to a hearing and accept one or more sanctions as determined by the adjudicator. The sanction(s) will reflect the severity of the current charge(s) against the student, as well as any previous student conduct record. A student who waives her/his right to a hearing forfeits any right to appeal the sanction(s) as determined by the adjudicator.
12. A hearing officer or Student Conduct Board shall have the authority during student conduct proceedings to hold an individual in contempt. Contempt is defined as disorderly or disrespectful conduct by hearing participants and/or the intentional misrepresentation of facts. Individuals found to be in contempt may be removed from the hearing and students may be charged with violating applicable behavior regulations.
13. The accused student shall receive a written account of the decision of the adjudicator. A decision will be based upon information sufficient to make a reasonable person believe that a fact sought to be proved is more likely true than not. In cases involving allegations of assault and sexual assault, the University will disclose the results of a student conduct proceeding to the victim.

#### G. Adjudicator Structure and Selection

In formal student conduct proceedings, the student accused of violating student behavior regulations will have her/his case heard before one of the following:

1. **Hearing Officer** - University representative who is designated by the Office of Student Conduct and is appointed by the University President of IUP to adjudicate cases at the Administrative Hearing level.
2. **A University Student Conduct Board** - A Student Conduct Board consists of four to six members, at least one of whom is staff or faculty and one of whom is a student, selected from a pool of prospective members who have been trained to participate as Student Conduct Board members and appointed by the University President. A chairperson designated by the Office of Student Conduct oversees the hearing.
  - a. **Special Interim Student Conduct Boards** - The University reserves the right to establish Special Interim Student Conduct Boards appointed by the Office of Student Conduct to expedite adjudication of student disciplinary cases when it is impractical for the university Student Conduct Board to convene. These boards, composed of two or more persons and a chairperson, may be convened to hear cases when an interim suspension has been issued and the accused student wishes to waive her/his right to ten (10) calendar days notice to a hearing (see Section E <sup>4,9</sup>), and/or the case must be heard at times impractical for a Student Conduct Board to convene (for example, final exam week, vacation periods, summer school, etc).

Hearing Officers and the University Student Conduct Board have delegated authority from the University President to adjudicate student conduct cases.

#### H. Procedures for cases adjudicated by hearing officers

1. An accused student may challenge the assignment of a specific hearing officer to her/his case. This challenge must be presented in writing to the Office of Student Conduct at least one (1) working day prior to the scheduled date and time of the hearing. Upon reviewing the details of the challenge, the Associate Dean of Students for Student Life and Community Engagement or her/his designee will either uphold the challenge and appoint an alternate hearing officer and arrange a new hearing time, or deny the challenge. Failure to act shall be deemed denial.
2. A hearing officer will withdraw from adjudicating any case in which s/he feels s/he cannot reach a fair and objective decision.
3. The hearing officer will review all material, hear all information pertinent to the case from the referring party, the accused student and all witnesses, clarify issues raised and render a decision based on the information presented at the hearing.
4. Following the hearing, the hearing officer will schedule a time to meet with the accused student (if possible) to issue a decision, and, if the student is found "in violation" of any university regulation, issue one or more sanctions. This information is also presented to the student in writing within seven (7) calendar days.
5. A hearing officer's decision will be based on all information presented at the hearing. If the accused student is found "in violation" of any university regulation, all materials within the student's past and present student conduct file will be used to determine appropriate sanction(s).

#### I. Procedures for cases adjudicated by Student Conduct Board

1. Any accused student appearing before a Student Conduct Board may challenge any member of the board sitting in judgment of her/his particular case. Upon hearing the details of the challenge, the Student Conduct Board will, by majority vote (challenged member not voting), either uphold or deny the challenge.



2. A Student Conduct Board member will withdraw from participating in any case in which the member feels that s/he cannot reach a fair and objective decision.
3. The Student Conduct Board will review all materials and hear all information pertinent to the case from the referring party, the accused student, and all witnesses. Members of the Student Conduct Board shall be free to ask relevant questions in order to clarify information which is presented.
4. A Student Conduct Board hearing will be digitally recorded by the University and the recording will be retained at the University in accordance with the records and recordkeeping policy (see section M). Under no circumstances are other individuals permitted to record student conduct hearings.
5. After hearing all the information, the board will privately make its decision and, if necessary, determine appropriate sanction(s). If the accused student is found "in violation" of university regulations, all materials within the student's past and present student conduct file shall be used to determine appropriate sanctions.
6. Upon the conclusion of the hearing, the Student Conduct Board chairperson will schedule a time to meet with the accused student to communicate the board's decision and, if the student is found "in violation" of university regulations, to communicate the sanction(s). This information is also presented to the student in writing within seven (7) calendar days.
7. In cases where the Student Conduct Board recommends expulsion as the appropriate sanction, the chairperson will recommend the sanction in writing to the Vice President for Student Affairs or her/his designee within three (3) calendar days.

#### J. Sanctions

Violations of student behavior regulations which demonstrate malicious intent towards the race, gender, color, religion, national origin, disability, and/or sexual orientation of another person or persons may result in increased sanctions.

1. A hearing officer or Student Conduct Board may impose one or more sanctions from the sanctions listed below.
2. Any sanction may be put on hold or "stayed" from implementation for a specified period of time as determined by the hearing officer or Student Conduct Board.
3. Sanctions which may be imposed include the following:
  - a. **Disciplinary Warning:** A written warning may be given to the student that indicates that s/he has been found "in violation" of an IUP regulation and that failure to comply with IUP regulations in the future may result in referral to the student conduct system to be handled as a second offense. A warning remains in effect for a specific period of time, as determined by the adjudicator.
  - b. **Community Service or Educational Task:** A task which benefits the individual, campus, or community.
  - c. **Disciplinary Probation:** Disciplinary Probation is an indication that a student's status at the university is seriously jeopardized. During the probationary period, if the student is found "in violation" of another policy/regulation, a more serious sanction will be levied, including possible suspension or expulsion from the university. Disciplinary Probation is in effect for a specific period of time, as determined by the adjudicator.
  - d. **Disciplinary Removal from University Owned/Operated Housing:** This sanction removes a student from University owned/operated housing facilities on either a temporary or a permanent basis. This is a more severe sanction usually taken in response to serious or repeated violations of university regulations or housing policies/regulations.
  - e. **Loss of Eligibility for University Owned/Operated Housing:** The student, whether currently living in university owned/operated housing facilities or not, is denied future eligibility for University owned/operated housing on a temporary or permanent basis.
  - f. **No Visitation in University Owned/Operated Housing/Facilities:** This sanction prohibits a student from being present within University owned/operated housing or other designated facilities for any purpose for a specific time period as determined by the adjudicator.
  - g. **No Contact:** A student is prohibited from any form of communication/contact with one or more persons in any manner, including, but not limited to, contact via electronic media, personal contact, contact via a third party, etc.
  - h. **Restitution:** A student may be required to pay for damages to property, including but not limited to, personal and University/Co-op property, and/or for personal injury. Payment will be made under guidelines determined by the Office of Student Conduct.
  - i. **Fine:** A student may be billed an amount of money as determined by the highest sanction assigned by the hearing officer or Student Conduct Board.
  - j. **Letter to Parent(s) or Legal Guardian(s):** The student's parent(s) or legal guardian(s) receive a copy of the hearing officer's or Student Conduct Board's decision. This does not apply if the student is twenty-one years of age or older or if the student presents documentation to demonstrate independence (as defined in section 152 of the Internal Revenue Code).
  - k. **Suspension:** A student may be suspended from the university for a specific period of time, not to be less than the remainder of the current semester. Suspension requires that a student remove her/himself from University or Student Cooperative Association owned or affiliated entities or properties. S/he is not permitted to attend classes or social activities or to be present on University/Student Cooperative Association property during the period of suspension. *This sanction can be recommended to the Vice President for Student Affairs by a hearing officer. The Vice President for Student Affairs or her/his designee shall endeavor to respond to the accused student in writing regarding the recommendation of suspension within five (5) calendar days of receiving it.*
  - l. **Expulsion:** The Student Conduct Board may recommend to the Vice President for Student Affairs that a student be expelled from the institution. Expulsion from the University is permanent dismissal. The Vice President for Student Affairs or her/his designee shall endeavor to respond to the accused student in writing regarding the recommendation of expulsion within five (5) calendar days of receiving it.

**K. Interim Suspension**

In a situation where it is determined that a student's continued presence constitutes an immediate threat of harm to the student, other individuals, or University or Student Cooperative Association premises or facilities, the Vice President for Student Affairs or her/his designee may suspend a student from the University pending final disposition of the case.

1. Within the five (5) calendar days of issuance of the interim suspension, unless circumstances warrant an extension, an interim suspension review hearing or Student Conduct Board hearing will be conducted to review the circumstances of the suspension (interim suspension review) or to adjudicate the case (Student Conduct Board hearing).
2. The interim suspension review officer or Student Conduct Board will then continue the suspension or take other action based upon the information presented at the interim suspension review hearing or the Student Conduct Board hearing. The burden of proof in interim suspension review hearings or Student Conduct Board hearings lies with the University and not the accused student.
3. If the interim suspension is not upheld, the accused student will immediately be reinstated. The student cannot be penalized for missing class and will be guaranteed the opportunity to make up academic work missed during the semester in which the suspension was imposed. It is the responsibility of the accused student to make arrangements with faculty members for completing missed work.

**L. Appeals**

1. **Grounds for Appeal:** Upon receiving notification of the outcome of a student conduct hearing, an accused student and/or the referring party (and alleged victim(s) of violence, if involved) may appeal in writing for any of the following reasons:
  - a. Procedural error that likely impacted the hearing outcome.
  - b. New information (applies when there is an acceptable reason to explain why the information could not be presented at the original hearing).
  - c. Inappropriate sanctions that resulted in one or more of the following: loss of eligibility to live in and/or visit University-owned/operated housing, stayed suspension, suspension, and/or expulsion,
2. **Procedure for appeal:**
  - a. The accused student and/or referring party (and alleged victims(s) of violence, if involved) must present a written request that specifically articulates one or more reason(s) for appeal from the grounds listed above to the Vice President for Student Affairs or her/his designee within ten (10) calendar days of notification of the hearing decision. The ten (10) day requirement may be waived by the Vice President for Student Affairs or her/his designee where extenuating circumstances prevail and only if the grounds for appeal are met.
  - b. In cases that do not involve interim suspension, once an appeal is filed all sanctions are placed on hold with the exception of any sanction prohibiting contact with a victim of violence.
  - c. The Vice President for Student Affairs or her/his designee may hear the appeal or direct the appeal to be heard by a Student Conduct Board by a hearing officer
  - d. Upon considering an appeal, the Vice President for Student Affairs or her/his designee may reverse the original decision, sustain the decision, reduce or increase the severity of the sanction, reopen the case with the original Student Conduct Board, or require that the case be reheard by a new Student Conduct Board. The record for appeal is the student conduct file (see "Records and Record Keeping")
  - e. Appeals of a suspension implemented by the Vice President for Student Affairs or her/his designee are heard by the University President
  - f. Appeals for expulsion must be submitted to the Office of the President. The University President shall respond to an accused student in writing regarding the appeal of an expulsion decision.
  - g. Decisions on all appeals shall be rendered within ten (10) calendar days, unless justifiable circumstances make adherence to this time frame infeasible.

**M. Records and Record Keeping**

The Office of Student Conduct will maintain student conduct files, which contain all necessary and appropriate correspondence, hearing officer and Student Conduct Board decisions, and other documentation pertinent to any student conduct cases involving the accused student. Material deemed unnecessary may be discarded at any time. Student conduct records will be maintained for minimally seven (7) years.

The University will not release a student's conduct records without the written consent of the student. The only exceptions to this guideline are those outlined in the Family Educational Rights and Privacy Act of 1974 (See IUP Student Records Policy).

**N. Review of Student Conduct Policies and Procedures**

The student conduct policies and procedures shall be reviewed minimally every five (5) years. The review process shall be coordinated by the Associate Dean of Students for Student Life and Community Engagement.

The Office of Student Conduct has the authority to resolve questions pertaining to Student Conduct Policies and Procedures. Questions regarding interpretation of the Student Conduct Policies and Procedures should be directed to the Office of Student Conduct, 307 Pratt Hall.

*Approved by University Senate on April 17, 2012.*

# STUDENT RIGHTS, FREEDOMS, AND RESPONSIBILITIES

## STUDENT RIGHTS, FREEDOMS, AND RESPONSIBILITIES

### General Statement on Student Rights, Freedoms, and Responsibilities

The university commits itself to guaranteeing its students the rights discussed in the following paragraphs, insofar as 1) they do not contradict either state or federal statutes, all of which are binding upon IUP as a state-owned and operated institution, and 2) they are not incompatible with the instructor's freedom to teach.

#### A. Freedom of Access to Higher Education

All facilities and services at IUP are extended equally to all enrolled students, regardless of race, religious creed, color, gender, national origin, sexual orientation, ethnicity, age, or physical challenges. In addition, the university seeks to guarantee all its students equal access to public facilities within the community. IUP will not condone discrimination of any kind directed toward its students.

#### B. Freedom of Expression

The faculty has an obligation to encourage free inquiry and expression, and students should be permitted rational and orderly disagreement with data and views expressed in or out of the classroom. The student, however, has an equal obligation to be responsible for learning the content of any course of study for which he or she is enrolled. The university should provide reliable mechanisms to protect the student against prejudiced or capricious evaluation of academic work, the latter functioning as the sole basis on which the student is graded, unless the plan of course of study explicitly states otherwise.

#### C. Freedom of Assembly--Demonstration Policy

Demonstrations may be held anywhere outdoors on the campus, so long as they do not disrupt the normal operation of the university or infringe on the rights of other members of the university community. No demonstrations are permitted inside university buildings. Any use of sound amplification equipment on the campus must have prior clearance through the Center for Student Life.

#### D. In order that demonstrators not interfere with the operation of the university or the rights of others, they shall not

1. Obstruct vehicular, bicycle, pedestrian, or other traffic
2. Obstruct entrances or exits to buildings or driveways
3. Interfere with educational activities inside or outside buildings
4. Harass passersby or otherwise disrupt normal activities
5. Interfere with or preclude a scheduled speaker from being heard
6. Interfere with scheduled university ceremonies or events
7. Damage property, including lawns, shrubs, or trees
8. Disturb the peace as defined by local ordinances

Students, personnel, or visitors to the university who interfere with the operation of the university or the rights of others will be asked by University Police to disperse and/or comply with this policy within a stipulated period of time. Failure to respond positively to such a request may result in arrest by University Police and/or disciplinary action by the university.

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## STUDENT RECORDS POLICY

### STUDENT RECORDS POLICY

Office of the Registrar 724-357-2217

The Family Educational Rights and Privacy Act (FERPA) affords you certain rights with regard to your educational records. In general, these are:

1. The right to inspect and review your education records within 45 days of receipt of a written request to the Associate Registrar for Student Records.
2. The right to request amendment of your education records if you believe they are inaccurate or misleading.
3. The right and requirement to consent to disclosures of personally identifiable information contained in your education record. However, school officials with a legitimate educational interest can have access to your education record.
4. The right to file a complaint with the US Department of Education concerning alleged failures by IUP to comply with FERPA.
5. The right to obtain a copy of the complete University policy regarding FERPA.

Directory information, however, can be released to a third party without the student's written consent. IUP specifies the following as directory information:

Name, address, telephone number  
Dates and status of attendance and previous institutions attended  
Degrees conferred  
Major field of study and class  
Awards and honors  
Past and present participation in officially recognized sports and activities, as well as physical factors of athletes (height and weight of athletes)  
E-mail username

The Student Record Release Authorization allows the student to identify individuals to whom education record information can be released. The authorization is accessed via URSA under the "Student Services" link then "Academic Records" and then "Student Record Release Authorization". Students can identify individuals to whom grade; schedule, financial aid; housing and billing information **can** be released, or **cannot** be released. For security reasons, the student also identifies a key word and key phrase which they, in turn, give to the individuals identified-mom, dad, rich uncle (if only we all had one of those!). Please keep the following key points in mind:

1. This is an optional service. It is the student's choice whether or not to utilize the Student Record Release Authorization.
2. This authorization is a dynamic process and access can be changed (added or removed) at any time.
3. This authorization is for discussion purposes only-a parent cannot get a transcript sent for a student utilizing this process.
4. The student needs to give the authorized individuals three pieces of information:
  - Their banner ID
  - Their security phrase and
  - Their security word **BEFORE IUP** is called.
5. Documentation regarding of this is available on our website [www.iup.edu/registrar](http://www.iup.edu/registrar), on the left hand side under the title "Access Student Record Release Authorization".

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## SUMMARY OF INDIANA BOROUGH ORDINANCES AND STATE LAWS

### SUMMARY OF INDIANA BOROUGH ORDINANCES AND STATE LAWS University Police 724-357-2141

#### A. General Statement

Students are expected, as citizens, to abide by the laws and regulations of the Borough of Indiana and the Commonwealth of Pennsylvania in addition to the rules of the university. The following information is presented in an effort to make students aware of certain borough ordinances and state laws dealing with personal conduct.

In 1972, the Pennsylvania legislature enacted a variety of laws lowering the legal age of the majority from twenty-one to eighteen. These laws have a significant impact upon IUP students, since many of them are in the eighteen-to-twenty age group. A minor in the Pennsylvania rules of court has been defined as "an individual under the age of eighteen years." With the exception of the drinking age, an eighteen-year-old in Pennsylvania is legally an adult. Further information on the following ordinances and laws can be obtained from the University Police Office, University Towers.

#### B. Local Ordinances

##### Anti noise Ordinance

There is a twenty-four-hour-a-day restriction on noise. If noise (music, yelling, partying, etc.) can be heard fifty feet from where the noise originates you are in violation.

##### Bicycles

Please remember that bicycles are considered vehicles by Pennsylvania. That means that all of the laws you normally associate with cars (stop signs, traffic lights, one-way streets, etc.) apply to operators of bicycles. When driving your bike at night, you must have a light on it that can be visible for 500 feet and a red rear reflector. You may not ride your bike on the sidewalk. We know this is a convenient way to get around town, but the sidewalks are reserved for pedestrian travel.

##### Disorderly Conduct

Several ordinances specify actions covered by the general charge of disorderly conduct: loud, boisterous, or unseemly noises, use of indecent language, damaging public or private property, and prowling. On conviction before a magistrate, fines may range to \$300 plus costs, depending on the offense. Serious cases of disorderly conduct can be prosecuted as misdemeanors.

**Garbage and Recycling**

It is unlawful to place garbage bags or recycling containers out for collection more than twenty-four hours before the regularly scheduled time for their collection.

**Grass and Snow Care**

If you live off campus, check your lease. You may be responsible for keeping your grass cut and clearing the snow from your sidewalk within twenty-four hours of the last snowfall.

**Leash Laws/Nuisance**

Indiana Borough's leash law requires dogs to be on a leash at all times while in the borough. Indiana Borough's nuisance ordinance requires anyone walking a dog in the borough to clean up defecation from public or private property.

**Littering**

Littering in the borough is subject to a fine of not less than \$50 or more than \$300 plus costs.

**Open Container**

It is illegal in Indiana to possess any open container of an alcoholic beverage on any public property. This includes streets, sidewalks, and parks. Violation of this ordinance is punishable by a fine.

**Outdoor Fires**

It is unlawful to start a fire of any description out of doors.

**Placement of Signs**

It is unlawful to place or post signs or any other such obstruction upon any public right-of-way.

**Playing on Public Streets**

It is unlawful to play ball on any public street, alley, or sidewalk.

**Property Inspection**

Indiana Borough reserves the right to inspect any non owner-occupied property between the hours of 8:00 a.m. and 8:00 p.m.

**Rollerblading**

It is unlawful to rollerblade or skateboard on any street in town. Please use the sidewalk, but you must yield to pedestrians. Rollerblading or skateboarding on any sidewalk located on Philadelphia Street between Fifth and Ninth streets is prohibited by ordinance.

**Street Signs**

It is unlawful to deface or steal signs. Theft of street signs and markings has caused serious accidents.

**C. Extracts from the State Crime Code****Forgery**

Anyone who fraudulently signs another person's name to a document, such as a check, is guilty of forgery. Forgery is a felony and is punishable by a fine between \$10,000 and \$25,000 or imprisonment not exceeding ten years, or both.

**Fireworks**

It is illegal to use fireworks in the Borough of Indiana. Prosecution is usually under disorderly conduct.

**Library Theft**

A person who attempts to remove library property from the library is guilty of library theft. If an individual conceals or attempts to conceal library property, he/she is guilty of this offense. The individual does not have to leave the premises in order to be considered in violation; the law itself provides for a presumption of intent. The penalties for violating this law range from a summary of fense punishable by a fine to a felony offense punishable by imprisonment.

In cases involving conviction for library theft, the defendant is required by law to be fingerprinted, and those fingerprints are subsequently turned over to the State Police and the FBI, which could in turn negatively affect a background check for employment.

Retention of library property after notice to return is also a summary offense punishable by a fine and restitution of cost of materials and any other costs incurred by the library in the process of prosecution. A person is guilty of this offense if he/she fails to return library property within thirty days of receiving a written notice from the institution.

Complete copies of laws concerning library property can be reviewed at the university libraries or University Police.

**Liquor**

The age of majority has not been changed regarding liquor in Pennsylvania; therefore, the following laws are still in effect: A person is guilty of a misdemeanor of the third degree if he or she being under the age of twenty-one years knowingly and falsely represents

himself to be twenty-one years of age to any licensed dealer or other person for the purpose of procuring or having furnished to him or her any intoxicating liquors. Maximum penalties: \$2,500 fine and/or one year in jail.

A person is guilty of a summary offense if he or she being less than twenty-one years of age, attempts to purchase, purchases, consumes, possesses, or transports any alcohol, liquor, or malt beverage. Any fine under this section shall be decreed to be paid to the local government in which the offense was committed, for the use of the local government. Maximum penalties: \$300 fine and/or ninety days in jail. A person is guilty of a misdemeanor of the third degree if he or she knowingly, willfully, and falsely represents to any dealer or other person any minor to be of full age for the purpose of inducing any such licensed dealer or other person to sell or furnish intoxicating liquors to a minor. Maximum penalties: \$2,500 fine and/or one year in jail. Minimum fine: \$300.

The state Liquor Control Board operates under state laws. Under these laws, it is a misdemeanor to unlawfully transfer an identification card for the purpose of falsifying age to secure malt or alcoholic beverages. Also it is a misdemeanor for any person to sell, furnish, or give to any minor under twenty-one years of age any malt or alcoholic liquor. Penalty: \$100 to \$300 fine and/or three months in jail. All fines collected are split 50/50 between the jurisdiction where the violation occurred and the state of Pennsylvania.

#### **Manufacture of a False ID Card**

A person commits a misdemeanor of the second degree if he or she intentionally, knowingly, or recklessly manufactures, makes, alters, sells, or attempts to sell an identification card falsely representing the identity, birth date, or age of himself or herself.

Minimum penalty for first offense is \$1,000 fine; there is a minimum fine of \$2,500 for a second or subsequent offense.

#### **Carrying a False ID Card**

A person commits a summary offense for the first violation and a misdemeanor of the third degree for any subsequent offense if he or she, being less than twenty-one years of age, possesses an ID card falsely identifying that person by name, age, date of birth, or photograph as being twenty-one years of age or older or obtains liquor or malt or brewed beverage by using the ID card of another or by using an ID card that has not been lawfully issued to or in the name of that person who possesses the card. Maximum penalty for the first offense is \$300, and minimum fine for the second or subsequent offense is \$500.

#### **Restriction of Operating Privileges**

In addition to any other fine or sentence imposed by a court, a person who is guilty of any of the offenses dealing with the possession, consumption, or transportation of alcohol or possessing, making, or displaying a false ID will have vehicle operating privileges suspended for a period of ninety days for the first offense, one year for the second offense, and two years for the third or subsequent offense. Operating Privileges can also be suspended by the Magistrate in the jurisdiction where a traffic violation occurred when the defendant does not respond to the citation.

#### **Drugs and Narcotics**

In June, 1972, Pennsylvania adopted the Uniform Controlled Substance, Drug, Device, and Cosmetic Act. This act liberalized the Pennsylvania law in the field of drugs and narcotics and in many ways respects reduced the penalties for violations of the new law in this field. The law reduced many drug violations to the class of misdemeanor. One of the major exceptions is the distribution of drugs by a person over twenty-one years of age to a person under eighteen years of age, who is at least four years his junior. This violation is the most heavily punishable under the act.

The act provides that the possession of a small amount of marijuana only for personal use, or possession of a small amount with intent to distribute but not to sell, or the distribution of a small amount but not for sale carries a maximum sentence of thirty days and a maximum fine of \$500. A small amount is defined as thirty grams of marijuana or less or eight grams of hashish.

Furthermore, the act provides that first offenders may receive probation without verdict, and if the probation conditions are satisfactorily carried out the proceedings will be dismissed. In addition, if this procedure is used, the arrest and prosecution will be erased from the record.

#### **Retail Theft (Shoplifting)**

Any person committing the first offense of retail theft when the value of the merchandise is less than \$100 is guilty of a summary offense. Maximum penalties: \$300 fine and/or ninety days in jail.

Upon conviction of a second offense when the value of the merchandise is less than \$100, the person shall be guilty of a misdemeanor of the second degree. Maximum penalties: \$5,000 and/or two years in jail. Upon commission of third or any subsequent offense, regardless of the value of the merchandise, the person shall be guilty of a misdemeanor of the first degree. Maximum penalties: \$10,000 and/or five years in jail. When the value of the merchandise shall be \$100 or more, any person who shall commit the offense of retail theft, whether the same shall be a first or subsequent offense, shall be guilty of a misdemeanor of the first degree. Maximum penalties: \$10,000 and/or five years in jail.

In all cases involving conviction of retail theft, the defendant is required by law to be fingerprinted, and those fingerprints are subsequently turned over to the Pennsylvania State Police.

#### D. Types of Prosecution

Violations of laws and ordinances are prosecuted under three classifications:

##### Summary of Offenses

Nearly all borough ordinances come under the Summary Offense Classification. Summary offenses must be paid within ten days at the magistrate's office. Most moving vehicle violations and others not cleared in the forty-eight-hour period are processed by a magistrate. State law requires the magistrate to add costs to the penalty and determines the amount of the costs to be added. Examples of summary offenses are most types of disorderly conduct, violations of the Motor Vehicle Code, and first offenses of shoplifting.

##### Misdemeanors

The State Crimes Code provides for three degrees of misdemeanors. The degree determines the maximum sentence and fine, which may be imposed upon conviction, and, therefore, the seriousness of the crime. A defendant charged with a misdemeanor is afforded the same procedural safeguards as a defendant charged with a felony. The case will be heard by a magistrate at a preliminary hearing. If a prima facie case is shown by the commonwealth, it will then be sent to trial and will be heard by a judge either with or without a jury at the option of the defendant. Magistrates in Indiana County will not conduct a preliminary hearing unless the defendant has legal counsel present.

Examples are driving under the influence of alcohol, driving during suspension of operator's license, and furnishing liquor to a minor.

##### Felony

Cases involving crimes of the most serious nature are denoted as felonies. There are three grades of felonies in Pennsylvania. The degree determines the maximum sentence and fine, which may be imposed upon conviction. A defendant charged with a felony will have his/her case heard by a magistrate at a preliminary hearing. If a prima facie case is shown by the commonwealth, the case is then sent to trial and will be heard by a judge either with or without a jury at the option of the defendant.

Examples are murder, rape, arson, burglary, theft, and forgery.

##### Regulations on Telephone and Mail Service

Students found guilty of the following infractions will be subject to disciplinary action. Federal and state laws provide the following: Anyone with intent to defraud who gives information to the operator or agent of any telephone company, so that the charge thereof is made to the account of another without authorization, shall be liable to fine or imprisonment or both. Further, federal and state laws prohibit the providing of false information with the intent to defraud the telephone company. This would also apply to the use of a "phone card" by other than the authorized party. This offense is punishable by fine and/or imprisonment.

Students are warned that it is illegal to use fictitious names in order to receive articles through the United States mail. Such actions are treated as theft.

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## TOTAL UNIVERSITY (UNDERGRADUATE) WITHDRAWAL POLICY

### TOTAL UNIVERSITY (UNDERGRADUATE) WITHDRAWAL POLICY

Office of Advising and Testing 724-357-4067

<http://www.iup.edu/advisingtesting/>

An undergraduate student who does not register for the succeeding semester and/or, having registered, does not appear for classes at the beginning of the succeeding semester, is considered to have withdrawn from the university. For various reasons, undergraduate students may need to stop attending their classes and leave the university for part, or all, of a semester/session. If this leave is going to be for more than a week or so (or, in the case of some sessions, a day), and depending upon the nature of the classes in which the student is enrolled, the student may need to consider processing an undergraduate total university withdrawal for the semester/session.

Doing so by using the procedures outlined below, rather than just leaving and receive failing grades, allows students to retain their quality-point average of the previous semester.

As with any procedure, students should carefully review all aspects and implications of such an action before initiating the withdrawal.

Between the first day of classes and the end of the eleventh week of classes, any undergraduate student, who is **not** advised by the Department of Developmental Studies or who does not attend the IUP at Northpointe Campus or the IUP Punxsutawney Campus and who voluntarily withdraws from the university during a semester or a winter or summer session must process a "Total University Withdrawal" from the semester/session by logging onto [URSA iportal \(my.iup.edu\)](http://my.iup.edu), and selecting the option for withdrawing. After responding to a brief exit questionnaire, the student will be able to "web withdraw" from all his or her courses. Should a student have questions, he or she may email [advising-testing@iup.edu](mailto:advising-testing@iup.edu) or schedule an appointment to have the questions addressed at the Advising and Testing Center, 216 Pratt Hall, 724-357-4067.

Students advised by the Department of Developmental Studies, rather than withdrawing via URSA, must secure a Total University Withdrawal Form from the Advising and Testing Center, 216 Pratt Hall, 724-357-4067, (e-mail: Advising-Testing@iup.edu). Similarly, students attending the regional campuses should secure a Total University Withdrawal form from the main office at the student's respective campus. When a form is used, the signed form must be returned to the Advising and Testing Center, which will notify the appropriate campus agencies and instructors that an official withdrawal has been processed. No person shall be considered withdrawn from the university within a semester or session unless such notice is received.

Undergraduate students should contact the Advising and Testing Center (Pratt Hall, Room 216) if they want to process a total university withdrawal after the individual course withdrawal deadline, but before the total university withdrawal deadline (2/3 of one semester).

A withdrawal designation will be assigned to all registered courses in the semester/session from which the student is withdrawing. Deadlines do apply, and ramifications to current semester bills and financial aid, as well as future semester financial aid, should be checked by contacting the appropriate offices (The Bursar's Office and the Office of Financial Aid) before withdrawing.

**It is to be noted that there are no leniencies for withdrawals caused by medical situations.** With the exception of documented "Call to Active Duty" withdrawals, all withdrawals follow the deadline dates set for the semester/session.

Students who withdraw who are on probation or extended probation cannot presume that such will be continued.

Questions regarding academic status should be directed by the student to the Associate Dean or Dean's Associate of the college of the student's primary major.

Any undergraduate student involuntarily withdrawing from the university as a result of suspension or expulsion will have the designation of W assigned to each registered course as a result of such judicial action.

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