

# RIGHTS AND RESPONSIBILITIES

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## Rights

### Americans with Disabilities Act

The University of La Verne policies and procedures concerning students with disabilities are available through the Director of Disabled Student Services on the La Verne campus.

### Classroom Rights and Privileges

Instructors are expected to encourage open discussion and inquiry. Students may take reasoned exception to information offered in any course and should make judgment on matters of informed opinion.

### Confidentiality and Institutional Research

The University of La Verne is committed to maintaining confidentiality. Data published contains no personally identifiable information and adheres to guidelines outlined in FERPA regarding the disclosure of education records and directory information.

### Crime Awareness and Campus Security Act Report

University of La Verne complies with the “Jeanne Clery and Annual Fire Report Disclosure of Campus Security Policy and Campus Crime Statistics Act” (The Clery Act), which requires all post-secondary institutions to publish and distribute specific information regarding campus crimes; including reports of sexual assault, sexual assault policies, security policies and safety awareness programs, to all current and prospective students and employees. A copy of University of La Verne’s Annual Security Report may be obtained at: <http://myportal.laverne.edu/web/campus-safety/statistics> (<http://myportal.laverne.edu/web/campus-safety/statistics/>)

### Drug-Free Schools and Communities Act

The University of La Verne is compliant with the “Drug-Free Schools and Communities Act”. The University of La Verne certifies that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. For more information visit: <https://laverne.edu/student-affairs/substance-abuse-prevention/>

### Family Educational Rights and Privacy Act (FERPA)

The University of La Verne abides by the Family Educational Rights and Privacy Act of 1974 as amended. The Family Educational Rights and Privacy Act affords eligible students certain rights with respect to their educational records. An “eligible student” under FERPA is defined as a student who is 18 years of age, or older or who attends a postsecondary institution. FERPA goes into effect at the University of La Verne upon matriculation. These rights include: the right to inspect and review information contained in their educational records, to challenge the contents of their educational records, to have a hearing if they consider the outcome of the challenge to be unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panels are unacceptable. An educational record is defined, with certain exceptions as noted below as any record

1. which contains information that is personally identifiable to a student, and
2. is maintained by the university (school officials).

There are exceptions/limitations for students to review their own educational record. Students may not review a document that has information about other students, financial records of parents, and confidential letters of reference or recommendations to which the student has waived their right of access.

Education records include any records in whatever medium (handwritten, print, email, magnetic tape, electronic data storage, etc.) that are in the possession of any school official. This includes transcripts or other records obtained from a school in which a student was previously enrolled. Records that are not educational records are sole possession records, law enforcement unit records, employment/HR records, medical records, or post attendance records.

The University’s Registrar coordinates the inspection and review procedures for student education records, which include admissions, personal, academic and financial files, cooperative education, and placement records. The Dean of Student Affairs oversees the review of records pertaining to social judicial matters.

Students wishing to review their educational records must submit a written request to the University of La Verne’s Registrar listing the item(s) of interest. Records covered by FERPA will be made available within 45 days of the request. Students may have copies of their records, at their own expense, with certain exceptions (e.g., a copy of a transcript upon which a “financial hold” has been placed or copies of transcripts from other schools). Educational records do not include records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual (except temporary substitutes), law enforcement/security records, student health records, employment records, or alumni records. Health records may be reviewed by physicians of the students’ choosing. In addition, students may not see financial information submitted by their parents, any confidential letters or recommendations to which they have waived their rights of inspection and review, or educational records containing information about more than one student. In the latter case, a student will be permitted access only to that part of the record which pertains to him or her.

Students who believe that their educational records contain information that is inaccurate, misleading, or otherwise in violation of their privacy or other rights may discuss their problems informally with the Registrar, either in person or in writing. If the Registrar agrees with a student’s requests, the appropriate records will be amended. If not, the student will be informed and may request a formal hearing. This request must be made in writing to the Registrar who will inform the student of the date, place, and time of the hearing before a panel selected by La Verne. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of the student’s choice, including attorneys, at the student’s expense. Decisions of the hearing panel are final and based solely on the evidence presented at the hearing. The panel’s written judgment will be delivered to all parties concerned including the student. If the decision is in favor of the student, the educational records will be corrected. If the decision is not satisfactory to the student, he or she may place statements commenting on the information or statements setting forth any reasons for disagreeing with the decisions of the hearing panel. These statements will be placed in the student’s educational records, maintained as part of those records, and released whenever the records in question are disclosed. A student who believes that the decisions of this adjudication process were unfair or not in keeping with FERPA may make a written request for assistance to the University of La Verne’s President. Students

who still believe that their rights have been abridged may file complaints with the:

*US Department of Education  
Family Compliance Office  
400 Maryland Ave. SW  
Washington, DC 20202*

FERPA does allow the University of La Verne to disclose information without written consent of the student under specified exceptions. FERPA allows disclosure without student consent to school officials with a legitimate educational interest. A school official as defined by FERPA as a person employed by the University of La Verne in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. Additional exceptions are, officials of other institutions in which the student seeks to enroll, persons or organizations providing the student's financial aid, accrediting agencies carrying out their accreditation functions, persons in compliance with a judicial order, volunteers or contractors outside of the University of La Verne who perform an institutional service or function for which the University of La Verne would otherwise use its own employees and are under direct control of the University of La Verne with respect to the use and maintenance of data from educational records such as an attorney, auditor, or collection agency, student assisting another school official in performing his/her task, and persons in an emergency in order to protect the health or safety of the student or other persons.

A "school official" is deemed to have a legitimate educational interest if the information requested or if the information that needs to be accessed for that official is necessary to:

- a. perform appropriate tasks that are specified in his/her position description, tasks assigned by supervisor, or by a contract agreement;
- b. perform a task related to a student's education;
- c. perform a task related to the discipline of a student; or
- d. provide a service of benefit relating to the student or student's family such as health care, counseling, job placement, library services, or financial aid.

Although an individual has been designated as a "school official", it should not be assumed they have the right of access to any or all student educational records. The school official, such as a faculty or staff member, must be able to demonstrate to the custodian of records a legitimate educational interest, and such a determination must be made on a case-by-case basis.

FERPA does allow the following directory information to be released without student consent. The University can provide: student's name, enrollment status (full time or part time and class level), major field of study, dates of attendance, degrees and awards received, email address, permanent address, current phone number, participation in officially recognized activities, photographs, and, for student athletes, weight and height. A student wishing to withhold this directory information must complete the Privacy Request Form in La Verne's Office of the Registrar or at their Regional Campus. The privacy request will be valid until the student directs the Registrar's Office or campus of registration to remove the request.

The University of La Verne will not disclose any information from a student's educational record unless we have written consent from the student or the request meets one of the above exceptions as allowed by

FERPA. Students may obtain a Third Party Authorization Form from the Office of the Registrar or Office of Academic Advising.

## Freedom of Access

The University of La Verne is open to all applicants qualified according to its published admissions policies and standards. Upon matriculation, each student has access to all La Verne services and facilities for which the student is qualified. Access may be denied to persons who are not University students.

## Policy Against Discrimination and Harassment

The University of La Verne is committed to maintaining a learning, working, and living environment for students, faculty and staff that is free from discrimination and harassment based on a person's race, color, religion, national origin, ethnic origin, ancestry, citizenship, sex (including pregnancy, childbirth, or related medical conditions), sexual orientation, gender (including gender identity and expression), marital status, age, physical or mental disability, medical condition, genetic characteristics, military and veteran status, or any other characteristic or status protected by applicable law. The University also prohibits discrimination and harassment based on the perception that anyone has any of these characteristics, or that anyone is associated with a person who has, or is perceived as having, any of these characteristics.

Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities, to women who are pregnant, and/or to accommodate religious beliefs and practices.

Sexual misconduct including, but not limited to, sexual assault, sexual exploitation, domestic and intimate partner violence and stalking is a form of sexual harassment and is also a violation of University policy.

Any person who believes they have been subjected to discrimination or harassment or the victim of sexual misconduct may utilize the University's complaint procedures. All such complaints will be promptly and thoroughly investigated through an impartial investigative process. It is against University policy and applicable law to retaliate against anyone who files a complaint or cooperates in the investigation of a complaint. Complaints may be submitted to the Office of Student Affairs and/or Office of Human Resources.

Information concerning the Policy Against Discrimination and Harassment and Policy Against Sexual Misconduct, compliance with applicable laws, statutes and regulations (such as Title VI of the 1964 Civil Rights Act, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973), and complaint procedures is available from the Office of Student Affairs, Office of Human Resources, or online at <https://laverne.edu/student-affairs/> or <https://laverne.edu/hr/>.

## Protection Against Improper Disclosure

Students' views, political associations, and beliefs which are confided to instructors, advisors, and counselors during the performance of their duties are confidential.

## Protection of Animal Subjects

The University's Policies and Procedures for the Protection of Animal Subjects in research have been developed to comply with federal requirements and are specified in the University's Federal Assurance filed with the Office of Laboratory Animal Welfare (OLAW). Guidelines were developed in accordance with the *Guide for the Care and Use of Laboratory Animals 8th Edition (Guide-8)*, Public Health Service, OLAW, US

Department of Agriculture Animal Welfare Regulations, and, as applicable, the Code of Federal Regulations – Title 9: Animals and Animal Products. The Institutional Animal Care and Use Committee (IACUC) conducts semi-annual reviews of IACUC membership and function, IACUC records, and reporting, veterinary care, personnel qualifications and training, and occupational health and safety of personnel. The IACUC has the responsibility to determine compliance with federal guidelines regarding research with live animals, and to approve or not approve such research conducted at the University or under the sponsorship of the University. This approval must be obtained prior to the initiation of the research.

## Protection of Human Participants in Research

The University of La Verne's Institutional Review Board (IRB) is responsible for protecting the rights and welfare of human subjects research conducted at or sponsored by the University of La Verne (Code of Federal Regulations, Title 45, Health and Human Services; Part 46, Protection of Human Subjects, §46.103). The IRB is a university committee that performs ethical review of proposed research involving human subjects and monitors continuing research for La Verne researchers and those wishing to conduct research on La Verne students, staff, faculty, and administration. The IRB is also responsible for providing training on the protection of human subjects in research.

## Religious Academic Accommodation Policy

Consistent with our core values of diversity and inclusivity, it is the policy of the University of La Verne to provide a reasonable accommodation based on a person's sincerely held religious belief. A reasonable accommodation is one that does not conflict with reasonably necessary University goals. The person requesting the accommodation is obligated to make the University aware of the need for a religious accommodation as soon as possible and in advance of the need for the accommodation.

The most common request for academic religious accommodation concerns class attendance during the observance of major religious holy days and celebrations. It is the policy of the University to grant students excused absences from class for observance of religious holy days. Students are expected to contact faculty at the beginning of the course (within the first two weeks of class) after reviewing course syllabi for potential scheduling conflicts. Students who request an excused absence in advance shall be provided with a reasonable alternative. Examples of reasonable accommodations for student absences might include: rescheduling an exam or giving a make-up exam for the student, altering the time of a student's presentation, allowing extra credit assignments to substitute for missed class work, or arranging for increased flexibility in assignment dates. Students are responsible for satisfying all academic requirements as defined by the instructor. Faculty members are encouraged to avoid scheduling exams on major religious holidays (a calendar of religious holidays is maintained on the Office of Religious and Spiritual Life web site).

In addition to observance of religious holidays and celebrations, other areas of practice may result in a request for accommodation based on obligations related to prayer, dietary requirements, fasting, religious attire, ablution, and theological or philosophical commitments. Given the uniqueness of requests, they must be handled on a case by case basis and may involve reasonable accommodation of course content. The University Chaplain may be consulted as needed.

## Complaint Procedure

The University of La Verne takes complaints and concerns regarding the institution very seriously. If a student has a complaint regarding the University or one of its schools, the student may present a complaint or

grievance according to the applicable policies and procedures found in the University of La Verne Catalog.

A student who has a complaint concerning academic program quality and/or accrediting standards (including complaints that the University has violated state consumer protection laws) is invited to contact the Office of the Provost at 1950 Third Street La Verne, CA 91750; provost@laverne.edu; 909-448-4748.

An individual may also contact the Bureau for Private Postsecondary Education for review of a complaint. The Bureau may be contacted at:

Bureau for Private Postsecondary Education  
2535 Capitol Oaks Drive, Suite 400  
Sacramento, CA 95833  
Telephone: (916) 431-6959  
FAX: (916) 263-1897  
Website: [bppe.ca.gov \(https://bppe.ca.gov/\)](https://bppe.ca.gov/)

The Bureau accepts all types of complaints related to the University, and may refer any complaint it receives including complaints related to institutional policies or procedures, or both, to the University, an accrediting agency, or another appropriate entity for resolution.

More information concerning the Bureaus' complaint procedure can be found at: [bppe.ca.gov/enforcement/faqs.shtml \(https://bppe.ca.gov/enforcement/faqs.shtml/\)](https://bppe.ca.gov/enforcement/faqs.shtml) and [bppe.ca.gov/enforcement/complaint.shtml \(https://bppe.ca.gov/enforcement/complaint.shtml/\)](https://bppe.ca.gov/enforcement/complaint.shtml).

The University has provided this information in compliance with the requirements of the Higher Education Act of 1965, as amended, as regulated in CFR 34 §600.9, and the California Education Code §94874.9.

## Grievance Procedure

In the event that agreement cannot be reached regarding a religious accommodation, the student or faculty member should bring the issue to the relevant college dean or, if necessary, to the Provost's office. In the event that advice in resolving the issue is needed, the chairperson, dean or Provost may seek the counsel of a four-person committee chaired by the University Chaplain and including, the Chief Diversity and Inclusivity Officer, a faculty member nominated by the Senate, and a student.

## Subpoenas

FERPA permits educational agencies and institutions to disclose, information from a student's educational record without the student consent in order to comply with a judicial order or a "lawfully issued subpoena". The university will make a reasonable effort to notify the student of the order or subpoena unless we have specific orders to prevent us from doing so. FERPA exempts institutions from the notification requirement in the case of a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, that specifically orders the institution to not notify the student.

## Teach-out Policy

Occasionally, the University of La Verne discontinues a degree program at a particular location or for a specific delivery modality. In such cases a formal announcement is made to all enrolled students affected by the decision describing a teachout plan with a timeline of course offerings that allows a reasonable time to completion. The University is obliged to offer all the courses and support necessary to complete the program for each student who started the program and maintained continuous enrollment in good standing. In addition, all students who have registered in a course in the program during the preceding 24 months and who

will have successfully completed at least 50% of the semester hours required in the program will be offered all necessary courses to complete the degree at or near the location where they have been attending. Students who have not registered in a course within the preceding 24 months or who have not been continuously registered and completed less than 50% of the program will be advised of alternative options to the discontinued degree program. When teach-outs involve programs governed by a contractual agreement, all such agreements will be honored. The schedule for discontinuance and teach-out plan will be developed by the program chair (in consultation with the ROC Dean and Director, as appropriate) and approved by the college Dean and the Provost. The Provost will monitor implementation.

## Title IX: Sex Discrimination, Harassment, and Assault

Policy on Sexual and Gender-Based Harassment, Discrimination, Retaliation, and Other Forms of Interpersonal Violence (Title IX): The University of La Verne, consisting of its ten campuses in California, wherever located (collectively, the "University"), is an institution built upon honor, integrity, trust, and respect. Consistent with these values, the University is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of the University community. The University does not discriminate based on sex or gender in any of its education or employment programs and activities. To that end, this policy prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972 ("Title IX"); Title VII of the Civil Rights Act of 1964 ("Title VII"); and/or federal and California laws. Such regulations also require the University to fulfill certain obligations under the Violence Against Women Reauthorization Act of 2013 ("VAWA"), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), and various California laws.

The University prohibits Sexual Assault, Sexual Exploitation, Relationship Violence, Stalking, Sexual or Gender-Based Discrimination, Harassment, Complicity in the commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under this policy (collectively, "Prohibited Conduct").

These forms of Prohibited Conduct are unlawful, undermine the character and purpose of the University, and will not be tolerated. The University adopts this policy with a commitment to:

1. eliminating, preventing, and addressing the effects of Prohibited Conduct;
2. fostering the University's Community of Trust, in which Prohibited Conduct is not tolerated;
3. cultivating a climate where all individuals are well-informed and supported in reporting Prohibited Conduct;
4. providing a fair and impartial process for all parties; and
5. identifying the standards by which violations of this policy will be evaluated and disciplinary action may be imposed.

Employees or Students who violate this policy may face disciplinary action up to and including termination of employment and/or expulsion from the University. The University will take prompt and equitable action to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The University conducts continual prevention, awareness, and training programs for Employees and Students to facilitate the goals of this policy.

It is the responsibility of every member of the University community to foster an environment free of Prohibited Conduct. All members of the University community are encouraged to take reasonable and prudent actions to prevent or stop an act of Prohibited Conduct. The University will support and assist community members who take such actions.

Concerns about the University's application of Title IX, VAWA, Title VII, the Clery Act may be addressed to the Title IX Manager (at [title9manager@laverne.edu](mailto:title9manager@laverne.edu)); the United States Department of Education, Clery Act Compliance Division (at [clery@ed.gov](mailto:clery@ed.gov)); the United States Department of Education, Office for Civil Rights (at [OCR@ed.gov](mailto:OCR@ed.gov) or (800) 421-3481); and/or the Equal Employment Opportunity Commission at: [info@eeoc.gov](mailto:info@eeoc.gov) or (800) 669-4000.

The Title IX Manager and Deputy Title IX Coordinators can be contacted by telephone, email, or in person during regular office hours. The names and contact information for current University staff with Title IX responsibilities can be found at: <http://laverne.edu/title-ix/>

The "Policy on Sex Discrimination Involving Sexual Assault, Sexual and Gender-Based Harassment, Other Forms of Relationship Violence, and Retaliation" includes:

- Guide for Reporting, Investigation and Resolution of Prohibited Conduct for Student Respondents
- Guide for Reporting, Investigation and Resolution of Prohibited Conduct for Employee Respondents
- Guide for Reporting, Investigation and Resolution of Prohibited Conduct for Third Party Respondents
- Contact & Reporting Resources
- Rights and Options for Victims of Sexual Misconduct Handout
- Reports Prohibited Conduct under this policy may be made to the University by contacting:

University's Title IX Manager or any Deputy Title IX Coordinator at the contact information provided at: <https://laverne.edu/title-ix/>

Title IX Manager: [title9manager@laverne.edu](mailto:title9manager@laverne.edu)

Campus Safety: 909-448-4950

Local law enforcement and allowing them to assist with notifying University authorities.

Reports may also be made using the University's online report form. Complaints filed using this form will go to the Title IX manager and/or a Deputy Title IX Coordinator.

A full copy of the "Policy on Sex Discrimination Involving Sexual Assault, Sexual and Gender-Based Harassment, Other Forms of Relationship Violence, and Retaliation" at: <http://laverne.edu/title-ix/>

## Student Governance

As members of the University community, students are free individually and collectively to express their interests. As vehicles for this purpose, provisions are made for student self-government as well as for student representation on the Board of Trustees; University, college, and departmental committees; and other decision-making bodies.

## Code of Student Conduct

The University of La Verne community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The Student Conduct



program within the Office of the Dean of Student Affairs is committed to an educational and developmental process that balances the interests of individual students with the interests of the University of La Verne community. The student conduct process is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies, standards and expectations. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community standards and expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in the University of La Verne community.

The Code of Student Conduct process is different from criminal and civil court proceedings. Procedures and rights in student conduct are conducted with "fundamental fairness" in mind. However, they do not include the same protections of due process afforded by the courts. "Fundamental fairness", as defined within these procedures, assures a student alleged to have engaged in Student Prohibited Conduct will:

- Receive written notice of allegation of Student Prohibited Conduct;
- Have an opportunity to participate in an investigation (Administrative Review) into allegations of Student Prohibited Conduct conducted by an objective decision-maker (Administrative Review Officer);
- Have an opportunity to present witnesses and evidence;
- Have an opportunity to review information that will be used in determining whether a violation of Student Prohibited Conduct under this policy has occurred;
- Not to be found in violation of Student Prohibited Conduct without information showing that it is more likely than not (i.e. preponderance of evidence) that a policy violation occurred;
- Receive a written notice regarding findings of the investigation; and
- Have the opportunity to appeal findings, as outlined by this policy.

Questions or concerns about the Code of Student Conduct may be directed to the Dean of Students Office.

**Note** - The University reserves the right to make changes to this document as necessary. The Dean of Student Affairs may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules, etc. The Dean of Student Affairs may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form. the most current version and the version considered in effect is available at: <https://laverne.edu/student-affairs/student-conduct/>.

## A. Notice of Nondiscrimination

The University of La Verne is a coeducational university organized as a nonprofit corporation under the laws of the State of California. Its purpose is to provide education and training to prepare its students to meet the responsibilities and duties of life effectively. Consisting of its eleven campuses in California, wherever located, the University is an institution built upon honor, integrity, trust, and respect. Consistent with these values, the University is committed to providing equal access and

opportunity for all members of the University community in a safe and non-discriminatory learning, living, and working environment.

In accordance with the requirements and prohibitions of Title IX of the Education Amendments of 1972 ("Title IX"), Titles VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and other federal and California laws, the University does not discriminate on the basis of race, color, religion, national origin, ethnic origin, ancestry, citizenship, sex (including pregnancy, childbirth, or related medical conditions), sexual orientation, gender (including gender identity and expression), marital status, age, physical or mental disability, medical condition, genetic characteristics, military and veteran status, or any other characteristic or status protected by applicable law as to the admission or enrollment of any student, or its educational programs and activities; the employment of any member of the faculty or staff; the selection and treatment of volunteers or unpaid interns; or to the election of any officer or trustee of the University.

Inquiries concerning the University's equal opportunity policies, compliance with applicable laws, statutes and regulations, or the University's complaint procedures for such matters should be directed to the Title IX Manager at

1950 Third Street  
La Verne, CA 91750  
(909) 448-4076  
email Title9Manager@laverne.edu (<https://laverne-public.courseleaf.com/rights-responsibilities/mail%20to:Title9Manager@laverne.edu>)

or to the Chief Student Affairs Officer as the University's designated Section 504 coordinator at

1950 Third Street  
La Verne, CA 91750  
(909)448-4053

To the extent such inquiries and complaints pertain to employment-related matters, they may be directed to the Chief Human Resources Officer at

1950 Third Street  
La Verne, CA 91750  
(909)448-4076

as the University's Equal Employment Opportunity Officer, Deputy Section 504 coordinator, and Deputy Title IX Manager with respect to employment matters.

Questions about the application of Title VI, Title VII or Title IX to the University also may be directed to any of the following:

- Assistant Secretary for Civil Rights, Department of Education at [OCR@ed.gov](mailto:OCR@ed.gov) or (800)421-3481.
- Equal Employment Opportunity Commission at [info@eeoc.gov](mailto:info@eeoc.gov) or (800) 669-4000.

Reports of bias incidents can be made using the Social Justice Incident Reporting Form.

## B. Jurisdiction

The Code of Student Conduct applies to Students who are registered or enrolled for credit or non-credit-bearing coursework and admitted Students participating in University Programs ("Student").

The Code of Student Conduct may also be applied to visitors and other persons having dealings with the University ("Third Parties") or individuals who are "guests" of a Student "host." It is the responsibility of the "host" to inform their "guest" of Student Prohibited Conduct and to ensure "guests" abide by all University Policies. Under the Code of Student Conduct, the Student "host" may be held accountable for the behavior of their "guests."

The Code of Student Conduct pertains to acts of Student Prohibited Conduct committed by Students and Third Parties when:

- The conduct occurs on the University campus or other property owned or controlled by the University;
- The conduct occurs in the context of a University education program or activity, including, but not limited to, University-sponsored study abroad, research, on-line or internship;
- The conduct occurs off-campus and outside of the context of a University education program or activity, but:
- Has the potential to adversely affect and/or create a hostile environment for Students, Employees or Third Parties while on the University campus or other property owned or controlled by the University or in any University employment or education program or activity; or
- Has the potential to adversely affect the educational mission and/or interests of the University.

This includes, but is not limited to, Student Prohibited Conduct that takes place over the phone, online, via email or other electronic mediums.

Students should be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a Student to allegations of Student Prohibited Conduct under this policy if evidence of Student Prohibited Conduct is posted online. The University of La Verne does not regularly monitor for this information but may take action if and when such information is brought to the attention of University of La Verne officials.

### **Non-traditional-Age and Graduate Programs**

Graduate and Non-Traditional Students in the College of Business and Public Management, the College of Arts and Sciences, the LaFetra College of Educational, the College of Law, Regional & On-Line Campuses (ROC), the Campus Accelerate Program for Adults (CAPA) will follow the "Code of Student Conduct" as outlined in this document. Cases of violations of Student Prohibited Conduct under this policy will be referred to the Dean of Student Affairs Office. Directors of Regional & On-Line Campuses (ROC) and Director of Student Affairs at the College of Law may serve in the role of Administrative Review Officers.

### **Classroom Conduct**

Professors, Program Chair/Directors, and Academic Deans have oversight for classroom conduct. Classroom conduct may be referred, investigated and addressed under the Code of Student when the alleged behavior is significantly pervasive and/or severe such that it limits an individual's ability to participate in educational programs at the University. Classroom conduct may be referred to the Title IX Coordinator when the alleged behavior may constitute a violation of the University's "Policy on Sexual and Gender-Based Harassment, Discrimination, Retaliation and Other Forms of Interpersonal Violence" (i.e. Sexual Assault, Stalking, Sexual Exploitation, Relationship Violence, Sexual or Gender/Based Harassment and Discrimination).

Per the course catalog (<https://laverne.edu/catalog/>), a student's enrollment in a class may be terminated by an Instructor, Program

Chair, or Academic Dean as a result of unsatisfactory conduct in the class; disrespect of an instructor, faculty member, administrator, or staff member; academic dishonesty; judicial misconduct; or sanctions.

### **Respondent is No Longer a Student**

If the Respondent is no longer a Student, the University will minimally engage in reasonably appropriate remedial measures to impacted parties, assist the Complainant in identifying external reporting options, and take reasonable steps to eliminate the behavior, prevent its recurrence, and remedy its effects. The University may chose conduct an Administrative Review into allegations of Student Prohibited Conduct in absentia of the Respondent.

### **Violations of the Law**

Alleged violations of federal, state and local laws may be investigated and addressed under the Code of Student Conduct. When an offense occurs, over which the University of La Verne has jurisdiction, the University of La Verne conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident. The University of La Verne reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint. Interim suspensions will be in effect until an investigation into the Student Prohibited Conduct can be concluded. An interim suspension may be continued if it is reasonable to believe that a danger is posed to the community and the University of La Verne may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process.

## **C. Definitions**

### **Complainant**

A Student, Employee or Third Party who presents as a person adversely affected by any Student Prohibited Conduct under this policy, regardless of whether that person makes a report or seeks action under this policy.

### **Respondent**

A Student, Employee or Third Party who is alleged to have engaged in Student Prohibited Conduct under this policy.

### **Reporter**

A Student, Employee or Third Party who brings forth information about a possible violation of Student Prohibited Conduct under this policy, and where they are not the Complainant or Respondent.

### **Administrative Review Office**

A University official authorized by the Dean of Student Affairs Office to conduct administrative reviews (i.e. investigation) into alleged violations of Student Prohibited Conduct under this policy. Administrative Review Officers receive annual trainings in conducting investigations of Student Prohibited Conduct. Administrative Review Officers serve as neutral and impartial fact finders whose role it is to conduct a thorough, reliable, prompt and fair investigation related to the alleged violation of Student Prohibited Conduct. Administrative review officers assigned to a case may not have a conflict of interest or bias for or against complainants or respondents generally or individual complaint or respondent. Administrative Review Officers will also be referred to as Investigators.

## **D. Reporting Options**

There are multiple channels for reporting Student Prohibited Conduct. Complainants and Reporters may choose to report to the University, to law enforcement, or to both. These reporting options are not exclusive.

Complainants may simultaneously pursue criminal action and action through the University's Code of Student Conduct. The University will

support Complainants in understanding, assessing and pursuing these options.

### Reporting to University

Complainants and Reporters may report Student Prohibited Conduct to the University by:

- Contacting the University's Chief Student Affairs Officer or any Staff in the Division of Student Affairs. Contact information for Staff in the Division of Student Affairs is available on the Student Affairs webpage;
- Contacting Campus Safety at 909-448-4950; and/or
- Submitting a report on-line via the on-line reporting form. Complaints filed using this form will go to the Dean of Students Affairs and/or their designee.

Upon receipt of report of Student Prohibited Conduct under this policy, the Dean of Student Affairs or designee will conduct a Preliminary Inquiry, and will provide the Complainant, if known, with information about resources, offer interim measures (as needed), and take appropriate action to resolve the reported incident as promptly and equitably as possible.

### Reporting of Sexual Misconduct (Title IX)

Reports of Sexual Misconduct as defined in the University's "Policy on Sexual and Gender-Based Harassment, Discrimination, Retaliation and Other Forms of Interpersonal Violence" (i.e. Sexual Assault, Stalking, Sexual Exploitation, Relationship Violence, Sexual or Gender-Based Harassment and Discrimination) will be addressed using the definitions, procedures and guidelines under that policy. Information on the University's "Policy on Sexual and Gender-Based Harassment, Discrimination, Retaliation and Other Forms of Interpersonal Violence" is available on the University's Title IX Webpage.

### Reporting to Law Enforcement

Complainants may report Student Prohibited Conduct immediately to a local law enforcement by contacting:

- 911 (for emergencies)
- La Verne Police Department at 909-596-1913 (for non-emergencies)

Police have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking Emergency Protective Orders.

Preservation of evidence may assist in providing that a criminal offense occurred, or may be helpful in obtaining a protection order.

Although a police report may be made at any time, Complainants should be aware that a statute of limitations may apply to certain law violations. The University will assist Complainants in notifying law enforcement if they choose to do so.

### Third Party Reporting to the University

The University urges anyone who becomes aware of an incident of Student Prohibited Conduct to report the incident immediately. Reports may be made by:

- Contacting the University's Dean of Student Affairs or any Staff in the Division of Student Affairs. Contact information for Staff in the Division of Student Affairs is available on the Student Affairs webpage;
- Contacting Campus Safety at 909-448-4950;

- Submitting a report on-line via the on-line reporting form. Complaints filed using this form will go to the Dean of Students Affairs and/or their designee.

### Anonymous Reporting to the University

Although the University encourages Students to report Student Prohibited Conduct, the University also provides a means for anonymous reporting through the University's on-line reporting form. This system will notify users (before they enter information) that all information provided will be reported to the University for action in accordance with this Policy, and users can provide as much or as little information as they choose.

An anonymous report will be evaluated in the same manner as a report with an identified Complainant or Reporter. Once an anonymous report is submitted, it will be directed to the University's Dean of Student Affairs or designee, who will review the information provided and determine whether further action is necessary in order to protect the health and safety of affected individuals and the University community. Consistent with the provisions of the Policy and the applicable complaint and investigative procedures, the University will respond to any report, including anonymous reports, with a preliminary inquiry and assessment to determine available steps based on the nature and circumstances of any known information.

### Reporting Timeframe

There is no time limit for reporting Student Prohibited Conduct to the University under this policy; however, the University's ability to respond may diminish over time, as evidence may erode, memories may fade, and Respondents may no longer be affiliated with the University.

## E. External Notification

### Police Notification

Per AB 1433, the University of La Verne is mandated to report to local law enforcement any report of a Part 1 violent crime (i.e. willful homicide, forcible rape, robbery, or aggravated assault); sexual assault; or hate crime (acts committed because of an actual or perceived characteristic as described in section 422.55 of the California Penal Code). While reporting of acts of violence is mandated by a Campus Safety Authority, reporting of a victim's identity is not, unless the victim consents. If a victim does not consent to disclosing his or her identity, the alleged respondent's identity may not be disclosed either.

### Clery Act Reporting and Time Warnings

Pursuant to the Clery Act, the University includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to Students and Employees. Consistent with the Clery Act, the University withholds the names and other personally identifying information of Complainants when issuing timely warnings to the University community.

### Campus Security Authorities

Certain campus personnel – those deemed Campus Security Authorities – have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). While personally identifiable information may not be included in the report unless the CSA has a separate duty to report such information, the statistical information must be passed along to Campus Safety regarding the type of incident and its general location (on or off-campus, in the surrounding area) for publication in the Annual Security Report. The

Annual Security Report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

Designated CSAs include individuals with responsibilities such as student affairs/student conduct, Campus Safety, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. When possible, this reporting protects the identity of the victim and may be done anonymously. In all cases, matters reported to CSAs are used as the basis for determining whether the matter represents a serious or continued threat to students and employees so as to trigger a timely warning to the university community.

### Parental Notification

In accordance with Family Educational Rights and Privacy Act (FERPA), the University reserves the right to notify parents/guardians of dependent students of alcohol and/or drug violations as well as when there is a significant and articulable health and/or safety risk.

The university may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is non-dependent, the University will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk.

## F. Privacy and Confidentiality

The University is committed to protecting the privacy of all individuals involved in the administrative review (investigation) and resolution of a report under this policy consistent with its duties under federal and state laws. The University also is committed to providing assistance to help Students make informed choices. With respect to any report under this policy, the University will make reasonable efforts to protect the privacy of participants while balancing the need to gather information to assess the report and to take steps to eliminate Student Prohibited Conduct, prevent its recurrence, and remedy its effects.

A Complainant may make a request for confidentiality. This type of request means that the Complainant does not want his/her identity known to the Respondent or Witnesses, or that the Complainant wishes to withdraw a report. In these situations, the University will make all reasonable attempts to comply with this request; however, the University's ability to investigate and respond may be limited. Complainant and Respondents have the right to choose whether to participate in the administrative process surrounding allegations of Student Prohibited Conduct.

If the University cannot maintain a Complainant's request for confidentiality, the Dean of Student Affairs or their designee will notify them. In situations where a member of the University community becomes aware of a pattern of behavior by a single respondent, the University will take appropriate action in an attempt to protect the University community. The University will protect the confidentiality of Impacted Parties and other necessary parties, and will complete publicly available record keeping, including Clery Act reporting and disclosures, without inclusion of personally identifying information about the Impacted Parties.

Personally identifying information is defined as individually identifying information for or about an individual, including information likely to

disclose the location of a person including: a first and last name; a home or other physical address; contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); a social security number, driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

The University will maintain as confidential any accommodations, supportive or protective measures provided to the Impacted Parties, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations, supportive or protective measures.

### Privacy

Privacy means that information related to a report of Student Prohibited Conduct will be shared with a limited circle of University Employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in the University's response to reports of Student Prohibited Conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law.

The privacy of a Student's education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the University's FERPA policy. The privacy of an individual's medical and related records generally is protected by the Health Insurance Portability and Accountability Act ("HIPAA").

### Confidentiality

Confidentiality exists in the context of laws that protect certain information and/or relationships, including with medical and clinical care providers (and those who provide administrative services related to the provision of medical and clinical care), mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications under California law.

## G. Interim Measures

Upon receipt of a report of Student Prohibited Conduct, the University may implement interim measures when a Preliminary Inquiry indicates that:

- There is a threat of harm;
- A student is facing a criminal investigation and/or complaint of serious criminal activity;
- There is a need to prevent disruption of, or interference with, the normal operations of the University of La Verne;
- The behavior in question is so severe or pervasive that it may significantly impact a University community member's ability to normally participate in University life;
- There is a need to preserve University of La Verne property;
- There is a need to preserve the integrity of an investigation or Administrative Review; and/or
- To prevent further acts of Student Prohibited Conduct.

The University will determine the necessity and scope of any interim measures.

These interim measures may be both **supportive** (non-disciplinary, non-punitive, offering individualized services offered as appropriate, as reasonably available, and without fee or charge to involved parties and designed to address safety, well-being and continued access



to educational opportunities) or **protective** (involving action against an involved party). All interim measures will be in place pending the resolution of the allegation, unless otherwise notified.

When an interim measure is supportive in nature, the directly impacted parties will be notified in writing. When an interim measure is protective in nature, involved parties whom action is taken against and/or for, will be notified in writing. Notification of protective interim measures will include an “analysis” and rationale for the measure. Involved parties whom action is taken against and/or for, will have the opportunity to challenge/appeal the implementation of protective interim measures at any point while the protective interim measure is in place. A challenge or appeal of the interim measure made be made by submitting writing request to the assigned Administrative Review Officer(s), the Dean of Students or their designee. The request should address or provide a rationale for why the interim measure(s) is not necessary. The University will inform students about options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures.

The University will inform Students regarding existing counseling health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available.

### Protective Measures

The range of protective measures which may be applied to the Respondent and Complainant include, but are not limited to:

### Interim Suspension

Interim suspension actions can include separation from the institution, removal from on-campus housing, housing relocation, or restrictions on participation in the community pending the resolution of a campus administrative review on the Student Prohibited Conduct. During an interim suspension, a Student may be denied access to University of La Verne housing, and/or the University of La Verne campus/facilities/ events. As determined by the Dean of Student Affairs (or designee), this restriction may include classes and/or all other University of La Verne activities or privileges for which the student might otherwise be eligible.

Interim suspensions may only be applied when an analysis finds that:

- There is a threat of harm;
- A student is facing a criminal investigation and/or complaint of serious criminal activity;
- There is a need to prevent disruption of, or interference with, the normal operations of the University of La Verne;
- The behavior in question is so severe or pervasive that it may significantly impact a University community member’s ability to normally participate in University life;
- There is a need to preserve University of La Verne property;

### “No-Contact” Order

The University may impose a “no-contact” order between a Student and other community members (i.e. Student, Faculty, Staff), where it is determined that:

- It is in the best interest of the individuals identified to minimize contact with each other;
- There is a health and safety concern; and/or
- Contact may result in an escalation of an incident, concern or behavior.
- “No-Contact” orders establish that any communication, or form of contact, whether in person, through an intermediary, phone, cell,

text, email, written correspondence, or through a social media (like Facebook) is not permitted.

- “No-contact” orders may remain in place after a resolution and without the need to have found an involved party responsible as long as the “no contact” order is intended to a) minimize health and safety concerns or b) reduce the escalation of incidents.

### Persona Non-Grata Order

Persona Non-Grata (PNG) orders establish that a student is not allowed in or within 10 feet of specified University campus or other property owned or controlled by the University and/or University programs or activities, as specified.

In some cases, a Persona Non-Grata from the University may be issued. In such cases, an individual is not allowed in or within 25 feet of all University campus or other property owned or controlled by the University and/or all University programs or activities. In such cases, should an individual need to be on University property or participate in a University sponsored program or activity, approval must be obtained from the Dean of Student Affairs office prior to attendance or participation.

### “Social Probation” Order

This order informs the Student that they are no longer allowed to be an active member or officer in student organizations; hold a student leadership position (i.e. RAs, Welcome Week Leader, etc.); and/or participate/attend University of La Verne sponsored programs/events as specified.

### Interim Hold on Student Record

The University may impose a “hold” on a student record that does not meet with an administrative review officer where it is determined that:

- there is a substantial benefit to the student’s health and wellness as a result of meeting with the administrative review officer;
- there is a substantial risk to the health and safety of the student or other members of the University community that could be mitigated by having the respondent meet with the administrative review officer;
- there is a concern to the University community that could be mitigated by having the student meet with the administrative review officer.

## H. Obligation to Provide Truthful Information

All University community members are required to provide truthful information in any report or proceeding under this policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Student Prohibited Conduct is prohibited and subject to disciplinary sanctions under the Code of Student Conduct. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

## I. Retaliation

Retaliation means any adverse action taken against a person for making a good faith report of Student Prohibited Conduct or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in any process provided for and/or activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Student Prohibited Conduct. Retaliation does not include good faith actions lawfully pursued in response to a report of Student Prohibited Conduct.

## J. Amnesty

An individual who participates as a Complainant, Respondent or Witness in an Administrative Review for Sexual Misconduct or allegations where violence, threat pattern, predation, and/or weapon use is indicated, may not be subject to disciplinary sanctions for a minor violations of Student Prohibited Conduct (i.e. alcohol, controlled substances, etc.) at or near the time of the incident and in connection with the investigation, unless it is determined that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty. Determination of the applicability of Amnesty will be made the Administrative Review Officer.

## K. Administrative Review Process

The procedures referenced below provide for prompt, thorough, equitable response to reports of Student Prohibited Conduct that afford all parties notice, an opportunity to present witnesses and evidence, as well as to review the information that will be used in determining whether a policy violation has occurred.

The procedures described below apply to all allegations of Student Prohibited Conduct under this policy, except for allegations of Sexual Misconduct. Allegations of Sexual Misconduct (i.e. Sexual Assault, Stalking, Sexual Exploitation, Relationship Violence, Sexual or Gender/ Based Harassment and Discrimination) will be addressed using the definitions, procedures and guidelines under the University's "Policy on Sexual and Gender-Based Harassment, Discrimination, Retaliation and Other Forms of Interpersonal Violence." More information on this policy is available on the University's Title IX Webpage.

Administrative Reviews work from a presumption that the Respondent is not responsible for alleged conduct until a determination regarding responsibility is made at the conclusion of the Administrative Review.

### Timeframe

Every effort will be made to complete an Administrative Review within sixty (60) calendar days from the date of notice to the University, though some Administrative Reviews may take weeks or even months, depending on the nature, extent and complexity of the allegations, availability of witnesses, police involvement, etc.

The University may undertake a short delay in its Administrative Review to allow evidence collection when a criminal investigation is occurring at the same time as the University's Administrative Review. The University will promptly resume its Administrative Review and resolution processes once notified by law enforcement that the initial evidence collection process is complete.

### Evidentiary Standard

The University applies the Preponderance of the Evidence standard when determining whether a policy has been violated. "Preponderance of the Evidence" means that it is more likely than not that the alleged policy violation occurred.

### Use of Evidence

Any evidence that the Administrative Review Officer (Investigator) believes is relevant and credible may be considered, including history and pattern evidence. The Administrative Review Officer (Investigator) may exclude irrelevant or immaterial evidence and may choose to disregard evidence lacking in credibility or that is improperly prejudicial.

While previous conduct violations by the Respondent or Complainant are not generally admissible, the Administrative Review Officer (Investigator)

will reference information about previous good faith allegations and/or findings to consider as evidence of pattern and/or predatory conduct.

Unless the Administrative Review Officer (Investigator) determines it is appropriate, the Administrative Review and the finding will not consider:

- Incidents not directly related to the possible violation, unless they show a pattern.
- The character of the Complainant and Respondent. This includes character witnesses, or taking information they offer into consideration when making a final determination.

Investigator(s) may consider "hear-say" evidence to the extent that the individual providing it is deemed credible and provides information directly relevant to the investigation.

During the Administrative Review, all relevant evidence and information will be reviewed with the Complainant and Respondent only after they have had the opportunity to provide their perspective on the alleged Student Prohibited Conduct. Physical or electronic copies of all relevant evidence will only be made available upon the conclusion of the Administrative Review.

Relevant evidence will be objectively evaluated by Administrative Review Officers – including both inculpatory and exculpatory evidence. Credibility of the evidence will not be based on a person's status as a Complainant, Respondent, or Witness.

### Complainant/Respondent Participation

If either the Complainant or Respondent choose to not participate in an Administrative Review, a determination will be made using the information and evidence available. Parties who elect not to participate in the Administrative Review or to withhold information from the Administrative Review do not have the ability to offer evidence later during the appeal if it could have been offered during the Administrative Review. Failure to offer evidence prior to an appeal does not constitute grounds for appeal based on new evidence.

### Witness Participation

Under the Code of Student Conduct, Student witnesses are expected to cooperate with, and participate in, any Administrative Review conducted in conjunction with this policy honestly and in good faith. Failure of a witness to cooperate with and/or participate in the Administrative Review constitutes a violation of policy and may subject the witness to Student Conduct Action for failure to comply.

Witness/Parties who elect not to participate in the Administrative Review or to withhold information from the Administrative Review do not have the ability to offer evidence later during the appeal if it could have been offered during the Administrative Review. Failure to offer evidence prior to an appeal does not constitute grounds for appeal based on new evidence.

Witness information and the evidence collected during the course of an Administrative Review will be kept confidential and will only be shared with those directly involved with the Administrative Review (i.e. Complainant and Respondent), or with University officials with a legitimate need to know.

Witnesses who participate in an Administrative Review are protected from retaliation, and may be afforded amnesty, as defined under the Code of Student Conduct.

Information provided by witnesses will be evaluated for credibility and relevance. Investigator(s) may choose to disregard evidence and/or information provided by witnesses when it focuses on the character of

the Respondent or Complainant, or does not pertain to the investigation of alleged Student Prohibited Conduct.

### **Communication with Complainant, Respondent and Witnesses**

The University considers the assigned University of La Verne e-mail account as an official means of communication. Investigators will primarily communicate with the Complainant, Respondent and Witnesses through e-mail using their University of La Verne email account.

### **Advisor Participation**

Each party (i.e. Complainant & Respondent) is allowed to have an advisor of their choice present with them for all Administrative Review meetings and proceedings, from intake through final determination. The parties may select whomever they wish to serve as their advisor as long as the advisor is eligible and available, and otherwise not involved in the investigation, such as serving as a witness. The advisor may be a friend, mentor, family member, attorney or any other supporter a party chooses to advise them who is available and eligible. The parties may choose advisors from inside or outside the campus community. Advisors may help their advisees prepare for each meeting, and are expected to advise ethically, with integrity and in good faith.

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

All advisors are subject to this policy, whether they are attorneys or not. Advisors may not address campus officials in a meeting or interview unless invited to. The advisor may not make a presentation or represent the Complainant or Respondent during any meeting, proceeding, or communication (electronic or otherwise), and may not speak on behalf of the advisee to the investigators or appeals officer. The parties are expected to ask and respond to questions on their own behalf, without representation by their advisor. Advisors may confer quietly with their advisees or in writing as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation.

Advisors are expected to refrain from interference with the Administrative Review and resolution. Any advisor who steps out of their role will be warned once and reminded of their role. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting, and that meeting will typically continue without the advisor present. Subsequently, the Dean of Students will determine whether the advisor may be reinstated, may be replaced by a different advisor, or whether the party will forfeit the right to an advisor for the remainder of the process.

The Investigator will provide a consent form to parties who wish to share information with their advisor. The parties must complete this form before the University is able to share information with an advisor, though parties may share the information directly with their advisor if they wish. Even with a consent form, the investigator will continue to communicate primarily with the Complainant or Respondent. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with Third Parties, disclosed publicly, or used for purposes not explicitly authorized by the University. The University may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the University's privacy expectations.

The University does not typically change scheduled meetings to accommodate an advisor's inability to attend. Therefore, an advisor is expected to adjust their schedule to attend University meetings when scheduled.

A party may elect to change advisors during the process, and is not locked into using the same advisor throughout.

### **Audio/Video Recording During Investigation Process**

Unauthorized audio or video recording of any kind is not permitted during investigation meetings.

### **Recusal of Administrative Review Officer or Appeal Officer**

Respondent and Complainants have the right to request that an Administrative Review officer or Appeal Officers be recused on the basis of demonstrated bias or conflict-of-interest within two business days of being notified of the identity of the Administrative Review Officer or Appeal Officer. Request must be provided in writing and provide a rationale or reason for demonstrated bias. Requests will be evaluated for merit and responded to by the Dean of Students and/or the Chief Student Affairs Officer as appropriate. If the request is found to have merit, a new Administrative Review Officer or Appeal Officer will be assigned. If the request is not found to have merit, the assigned Administrative Review Officer or Appeal Officer will remain.

### **Preliminary Inquiry**

Following receipt of notice or a report of Student Prohibited Conduct, an assigned Administrative Review Officer will engage in a Preliminary Inquiry to determine if there is reasonable cause to believe a violation of Student Prohibited Conduct under this policy has occurred.

If, during the Preliminary Inquiry or at any point during the Administrative Review, the Investigator determines that there is no reasonable cause to believe that Student Prohibited Conduct under this policy has been violated, the process will end. In cases where the Preliminary Inquiry shows that reasonable cause exists, the Administrative Review Officer will prepare and issue a "Notice of Investigation" to the Respondent and Complainant, as appropriate.

The Preliminary Inquiry will also be used to evaluate if the allegation(s) involves or indicates violence, threat, pattern, predation and/or weapon use.

For cases of Sexual Misconduct, the investigators will also:

- Provide Complainant with resources, accommodations, and/or applicable interim or protective measure (Note – Investigators will provide a Complainant with resources, accommodations, and/or applicable interim or protective measures regardless of whether a Formal Investigation takes place).
- Meet with Complainant to obtain a statement, prepare and review allegation information for inclusion in a "Notice of Investigation."

Administrative Review Officers may also provide a Complainant resources, accommodations, and/or applicable interim or protective measures for non Sexual Misconduct cases, where the Preliminary Inquiry indicates or involves threat to safety (i.e. evidence of violence, threat pattern, predation, and/or weapon use).

### **Notice of Investigation**

Once an Investigation begins, the assigned Administrative Review Officer will provide formal notification through email using the party's University of La Verne email account. Once emailed, notice will be presumptively delivered. The notification will:

- Provide a brief description of the alleged behavior that constitute a violation Student Prohibited Conduct;
- Identify the specific Student Prohibited Conduct policy(s) that has been allegedly violated;
- Provide the date and location of the alleged Student Prohibited Conduct, to the extent that is known;
- Provide information on the source of complaint, and if appropriate, identity of Complainant, if any;
- Inform parties of any supportive or protective interim measures being taken. Information on protective measures will include an “analysis” and rationale for the measure;
- Provide a description of applicable interim measures, investigation process procedures and next steps, if any;
- Provide access to a copy of applicable policies and guidelines, including Respondent and Complainant rights;
- Name the Administrative Review Officer(s) (Investigator) assigned to the case and of involved party’s right to request recusal of Administrative Review Officer(s) based on demonstrated bias or conflict of interest.
- Inform involved parties of their rights to participate in process and to review information as outlined in the Code of Student Conduct;
- Inform involved parties on retaliation, amnesty, and obligation to provide truthful information under the Code of Student Conduct;
- Inform involved parties on Respondent being presumed not responsible for alleged conduct until a determination is made as an outcome of administrative review or hearing process.

If during course of investigation/administrative review, additional allegations are discovered, the Administrative Review Officer will provide notice to the involved parties of the additionally discovered allegations.

Involved Parties will be afforded 3-5 from date of notice to respond to allegations in writing or in person. An involved Party may choose to waive the 3-5 days respond period.

### Investigation

Administrative Review Officers will conduct a thorough, reliable and impartial investigation. The investigation will be a process that may necessitate more than one meeting/interview with the Respondent, Complainant and Witnesses. The investigation process may include, but is not limited to:

- Administrative Review Officer(s) meeting with the parties (i.e. Respondent and Complainant) for the purposes of:
- Reviewing the investigation process under this policy;
- Allowing parties to present their perspective on the allegation, and respond to the allegations. The response may be in writing should the parties prefer;
- Allowing parties to present related evidence and identify possible witnesses;
- Reviewing the information and statement provided/available, only after the parties the opportunity to provide their perspective on the alleged Student Prohibited Conduct.
- Administrative Review Officer(s) interviewing all relevant witnesses and collecting all relevant evidence.
- Administrative Review Officer(s) reviewing all relevant statements and evidence with Respondent and Complainant.
- Administrative Review Officer(s) allowing each party the opportunity to suggest applicable questions they wish the Administrative Review Officer(s) to ask the other party and/or witnesses. Administrative

Review Officer may choose to edit questions or not ask them based upon their relevance or purpose.

For allegations where the possible outcome is suspension or expulsion, the Administrative Review Officer(s) will provide Respondent and Complainant an opportunity to review a “summary of all relevant evidence” to be used in rendering a determination, and provide Respondent and Complainant with a full and fair opportunity to address the “summary of all relevant evidence” prior to a finding being rendered.

Administrative Review Officer(s) will complete the Investigation promptly, and without unreasonable deviation from the intended timeline. If the Administrative Review Officer(s) determines additional time is needed to complete an investigation, both parties will be notified of the delay. Administrative Review Officer(s) will provide regular updates to the Complainant and Respondent throughout the investigation as appropriate.

For cases of Sexual Misconduct, the Administrative Review Officer(s) will also prepare an investigator report, which will include the “summary of all relevant evidence” with a recommended finding to the Title IX Manager, or appointed designee. Once the report is completed, Administrative Review Officer(s) will meet with the Title IX Manager, or appointed designee, to discuss recommendations, findings, and sanctions, as applicable.

### Findings

If the Preponderance of Evidence standard is met for a Student Prohibited Conduct violation, the allegation(s) brought against a Respondent will be “substantiated” and the Administrative Review will proceed to the sanctioning phase.

If the standard is not met, the allegation(s) brought against a Respondent will be “unsubstantiated” and the case will be closed. The Administrative Review Officer may impose preventative measures when the finding is “unsubstantiated” for the purposes of:

- Protecting the health and safety of the parties involved;
- Preventing the occurrence of Student Prohibited Conduct;
- Preventing escalation of an incident, concern or behavior.

In rare cases when it is determined the allegation(s) brought against the Respondent was not in good faith, the allegation(s) will be “unfounded” and the case will be closed.

For investigations related to Sexual Misconduct, the Title IX Manager will make the determination. For all other investigations of Student Prohibited Conduct, the Administrative Review Officer(s) will make the determination.

### Respondent Admits to Policy Violation

The Respondent may choose to admit responsibility for all or part of the alleged Student Prohibited Conduct at any point during the investigation. If the Respondent admits responsibility, the Administrative Review Officer will find that the allegation(s) is “substantiated” and the investigation will proceed to the sanctioning phase.

### Notification of Findings

The Administrative Review Officer(s) will inform the parties of the final determination. Notification will be made using the parties’ University of La Verne email account. Once emailed, notice will be presumptively delivered.



The outcome notification for investigations related to Sexual Misconduct, will be made to all parties, without significant time delay between notifications. Notifications for investigations of Sexual Misconduct will specify:

- The finding on each alleged policy violation and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law.
- The relevant/appropriate sanctions and/or preventative measures and the rationale supporting the sanctions and/or preventative measures.
- Information on when the results (finding, sanctions and preventative measures) are considered by the University to be in effect.
- Information on appeals options that are available to all parties.

Notification for all other investigations (not related Sexual Misconduct), will be made to the Respondent and will specify:

- The finding on each alleged policy violation and the rationale supporting the essential findings.
- The relevant/appropriate sanctions and/or preventative measures and the rationale supporting the sanctions and/or preventative measures.
- Information on when the results (finding, sanctions and preventative measures) are considered by the University to be in effect.
- Information on appeals options that are available to the Respondent.

Notifications to the Complainant for non-sexual misconduct investigations will specify:

- The finding on alleged policy violation that impact the Complainant.
- The relevant/appropriate sanctions and/or preventative measures that impact the Complainant.
- Information on when the results that impacted or impact the Complainant (finding, sanctions and preventative measures) are considered by the University to be in effect.

### Federal Education Rights and Privacy Act

The outcome of an investigation is part of the education record of the Respondent and is protected from release under the Federal Education Rights and Privacy Act, except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or non-forcible sex offense, the University of La Verne will inform the Complainant of the outcome as described previously.

In cases where the University of La Verne determines through the investigation that a Respondent violated policy that would constitute a “crime of violence” or non-forcible sex offense, the University of La Verne may also release the above information publicly and/or to any Third Party. FERPA defines “crimes of violence” to include: arson; assault offenses (includes stalking); burglary; criminal homicide— manslaughter by negligence; criminal homicide— murder and non-negligent manslaughter; destruction/damage/vandalism of property; kidnapping/abduction; robbery; forcible sex offenses; and non-forcible sex offenses.

### L. Sanctions and Remedies

When the allegations brought against a Respondent are “substantiated,” sanctions will be assigned. Factors considered when determining a sanction/responsive action may include:

- The nature, severity of, and circumstances surrounding the violation.
- An individual’s Code of Student Conduct history.
- Previous allegations involving similar conduct.
- Any other information deemed relevant by the Investigator.
- The need for sanctions/responsive actions to bring an end to the Prohibited Conduct.
- The need for sanctions/responsive actions to prevent the future recurrence of Prohibited Conduct.
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the Complainant and the community.
- Identifying opportunities to have the Respondent re-dress the Complainant, when appropriate, as deemed by the Administrative Review Officer.
- Having the Respondent engage in an educational experience, when possible and appropriate, as deemed by the Administrative Review Officer.
- The need to hold the Respondent accountable for his/her behavior.
- The respondent’s willingness to take responsibility for behavior

The following are non-exhaustive examples of sanctions that may be imposed upon Respondents singularly or in combination:

- **Academic Program Re-Assignment:** Informs an individual that their behavior in an academic program or main/regional “campus” has been significantly disruptive such that their continued participation in that program will not be allowed. As such, a student may be re-assigned to a different academic program (i.e. on-line) or main/regional “campus.” Academic Program ReAssignment sanctions are usually accompanied by the following sanctions: University Probation, Person Non-Grata.
- **Behavioral Expectations Requirement:** Requires individuals to follow outlined behavioral expectations.
- **Community/University Service Requirements:** Requires an individual to perform community or university service as outlined in the Notification of Findings/Decision.
- **Confiscation of Prohibited Items:** Places items belonging to individual in a temporary hold until the items can be appropriately removed from campus, destroyed or turned over to law enforcement. Items eligible for removal from campus but not retrieved within 30 days of confiscation will be destroyed.
- **Educational Program/Activity:** Requires individuals to complete an educational project as specified by the Administrative Review Officer. Projects may range from planning or participation in a program, activity or project; writing a reflection paper; and/or completing an on-line course/training.
- **Fines:** Imposes a fee for the violation of a policy.
- **Hold on Student Record:** Imposes a “hold” on a Student record with the Registrar’s Office. This record restricts a Student from being able to register for classes, drop classes, file or participate in graduation.
- **Housing Warning** - A warning serves as notice that a student’s behavior is not within the standards established by the Code of Student Conduct. A warning also serves as notice that should the student continue to engage in Prohibited Student Conduct he/she/they may be subject to additional administrative actions including removal from on-campus housing.
- **Housing No-Contract Order:** Informs individual that they are not eligible to contract to live oncampus for a specified period. This sanction can from a semester term to up to 4 years.

- **Housing Probation:** This sanction serves to inform the student that they have engaged in behavior that has created a significant disruption to the University community. It also serves as notice that should the student continue to engage in Prohibited Student Conduct, they may be subject to further administrative action, including removal from on-campus housing. This sanction can range from a semester/term to up to 4 years. Specific duration will be specified in Notification of Findings.
- **Housing Reassignment:** Requires an individual to relocate, or move to a different room in on campus housing. Failing to relocate by the specified date may result on further administrative action including charges and holds on student records.
- **Housing Removal:** Informs an individual that their on-campus housing contract is being cancelled and as such, they will be required to vacate and remove their belongings from on campus housing facilities by a specified date. Housing Removal sanctions are usually accompanied with the following sanctions: Persona Non-Grata and University Probation. Failing to abide by removal date or move-out process may result in further administrative action including charges and holds on student records.
- **Loss of Privileges:** This sanction imposes restriction on privileges (i.e. having guests/visitors on campus on in on-campus housing) or access to buildings, areas or events normally afforded to an individual. Specific duration will be specified in Notification of Findings.
- **“No-Contact” Order:** Establishes identified individuals may not have any contact with one another.
- **Persona Non-Grata from Specified Facilities:** Instructs an individual that they are not allowed in or within 10 feet of the specified University facility(s), parking lot, space, other property owned or controlled by the University, as well as the a specified University program or event. Should the individual need to access the specified location/program for conducting official University business, they must request and receive approval from the Dean of Students prior to accessing the specified location/program. Specific duration will be specified in Notification of Findings.
- **“Persona Non-Grata” from the University:** Instructs an individual they are not allowed in or within 25 feet of all University facilities, parking lots, spaces and/or other property owned or controlled by the University as well not allowed to participate/be present at University sponsored programs or events. Should the individual need to be on University property or University sponsored program or events to conduct official University business, they must request and receive approval from the Dean of Students prior to being on University property. Being in University facilities, parking lots, spaces, other property owned or controlled by the University, as well as participating/being present in University sponsored programs or events will be considered trespassing. Individuals trespassing will be asked to leave and will be referred to local police agencies.
- **Revocation of Degree:** The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation or other violation of University policies, procedures or directives in obtaining the degree, or for other serious violations committed by a Student prior to graduation.
- **Referral:** Refers an individual to a specified person/office for the purposed of completing and assigned task by a specified date.
- **Restitution:** Requires payment for damages to property.
- **Social Probation/Eligibility Restriction:** Informs the student they are restricted from being an active member or officer in student organizations; holding a Student leadership position (i.e. RAs, Welcome Week Leader, Student Organization Officer, etc.); and/or participating in University of La Verne programs or events, as specified. Specific duration will be specified in Notification of Findings.
- **Termination:** Informs individuals that they are permanently terminated from University employment, leadership and volunteer opportunities.
- **University Warning:** A warning serves as notice that the student’s behavior is not within the standards established by the Code of Student. A warning also serves as notice that should the student continue to engage in Prohibited Student Conduct they may be subject to additional administrative actions.
- **University Probation:** Informs the student that they have engaged in behavior that has created a significant disruption to the University community. It serves as notice that should the student continue to engage in Prohibited Student Conduct, they may be subject to university suspension or expulsion. This sanction also denotes that the student is not in good judicial standing with the University during the effective dates. This sanction can range from a semester/term to up to 4 years. Specific duration will be specified in Notification of Findings.
- **University Suspension:** This sanction informs the individual that during the specified period, they are not eligible to be a student at the University of La Verne. This sanction can range between a semester/term to up to 4 years. Specific duration will be specified in Notification of Findings. University Suspension carries with it the following conditions:
  - During the suspension period, the individual is **“Persona Non-Grata”** from the University of La Verne. Meaning they are not allowed in or within 25 feet of all University facilities, parking lots, spaces and/or other property owned or controlled by the University as well not allowed to participate/be present at University sponsored programs or events. Should the individual need to be on University property or University sponsored program or event to conduct official University business, they must request and receive approval from the Dean of Students prior to being on University property.
  - During the suspension period, a **hold** will be placed **on the individual’s student record**.
  - After completion of the suspension, the individual will need to a) meet with a representative of the Dean of Students Office to discuss behavioral expectations, and b) work with respective offices (academic advising, registrars, financial aid, student accounts) to complete all administrative processes required for their return.
  - After completion of the suspension, the individual will be on **University Probation** for a one year period starting on the first day of the individual’s official return to the University of La Verne.
- **University Expulsion:** Informs the Student that they have engaged in behavior that has created a significant disruption to the University such that they can no longer be a Student at the University of La Verne and their student status is permanently terminated. As such, the individual is not eligible for re-admission or re-enrollment in any University program or campus as well as participation as an Alumni or Alumni services, programs and events. University Expulsion carries with it the following conditions:
  - The individual is **“Persona Non-Grata”** from the University of La Verne. Meaning they are not allowed in or within 25 feet of all University facilities, parking lots, spaces and/or other property owned or controlled by the University as well not allowed to participate/be present at University sponsored programs or events.

- A “Student Conduct Action Taken” notation will be made on the individual’s University of La Verne transcript.
- **Withholding Diploma:** The University may withhold a Student’s diploma for a specified period and/or deny Student participation in commencement activities if the Student has an allegation pending or as a sanction if the Student is found responsible for an alleged violation.
- **Other Actions:** In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

### Abiding by Sanction or Preventative Measures

Students are expected to comply with assigned sanctions or preventative measures within the timeframe(s) identified in the “Notification of Findings.” Failure to abide with sanctions or preventative measures, whether by refusal, neglect or any other reason, is considered a violation of Student Prohibited Conduct and may result in additional administrative action, including, but not limited to hold on Student records, suspension from the University, and/or notation on the Student’s official transcript at the end of the semester.

### M. Preventative Measures

The Administrative Review Officer may impose preventative measures when the finding is “unsubstantiated” for the purposes of restoring and preserving involved parties education access. Specifically:

- Protecting the health and safety of the parties involved;
- Preventing the occurrence of Student Prohibited Conduct;
- Preventing escalation of an incident, concern or behavior.

The following are non-exhaustive examples of preventative measures that may be imposed singularly or in combination:

- **“No-Contact” Order:** Establishes identified individuals may not have any contact with one another.
- **Behavioral Expectation Requirement:** Requires individuals to engage or follow outlined behavioral expectations.
- **Loss of Privileges (Visitations):** Limits an individual from having guests on-campus or being able to visit specific residence halls, when that guest does not reside in the specific building, is not a resident of on-campus housing, and/or is not a student at the University.
- **Persona Non-Grata from Specified Facilities:** Instructs an individual that they are not allowed in or within 10 feet of the specified University facility(s), parking lot, space, other property owned or controlled by the University, as well as the a specified University program or event. Should the individual need to access the specified location/program for conducting official University business, they must request and receive approval from the Dean of Students prior to accessing the specified location/program. Specific duration will be specified in Notification of Findings.
- **“Persona Non-Grata” from the University:** Instructs an individual they are not allowed in or within 25 feet of all University facilities, parking lots, spaces and/or other property owned or controlled by the University as well not allowed to participate/be present at University sponsored programs or events. Should the individual need to be on University property or University sponsored program or events to conduct official University business, they must request and receive approval from the Dean of Students prior to being on University property. Being in University facilities, parking lots, spaces, other property owned or controlled by the University, as well as participating/being present in University sponsored programs or

events will be considered trespassing. Individuals trespassing will be asked to leave and will be referred to local police agencies.

- **Housing Reassignment:** Requires an individual to relocate, or move to a different room in oncampus housing. Failing to relocate by the specified date may result in administrative action including charges and holds on student records.
- **On Notice:** Informs individual that their behavior is of concern and while the current behavior may be a violation of prohibited conduct, continuing to engage in that behavior may result in allegations and/or findings of engaging in prohibited conduct.
- **Other Actions:** In addition to or in place of the above preventative measures, the University may assign any other preventative measures as deemed appropriate.

### N. Appeals

All requests for appeal consideration must be submitted in writing to the appeals officer within five (5) business days of the delivery of the written investigation findings. A Respondent or Complainant may appeal the findings and/or sanctions only under the following grounds:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
- The sanctions imposed fall outside the range of sanctions the University has designated for this offense and the cumulative record of the responding party.
- To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
- **Note** – Involved parties who elected not to participate in the Administrative Review or to withhold information from the Administrative Review do not have the ability to offer evidence as part of the appeal if it could have been offered during the Administrative Review. Failure to offer evidence prior to an appeal does not constitute grounds for appeal based on new evidence.
- The Appeals Officer will review the appeal request(s). The original finding and sanction and/or responsive actions will stand if the appeal is not timely or is not based on the grounds listed above, and such a decision is final. The party requesting an appeal must show that the grounds for an appeal request have been met. When any party requests an appeal, the Appeals Officer will share the appeal request with the other party. If new grounds are raised, the other party will be permitted to submit a written response to these new grounds within two days of notification. These responses or appeal requests will be shared with each party.
- Where the Appeals Officer finds that at least one of the grounds is met by at least one party, the following apply:
- Appeals are not intended to be full re-investigations/administrative reviews of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the investigation/administrative review, and pertinent documentation regarding the grounds for appeal.
- Appeals granted based on new evidence should normally be remanded to the administrative review officer(s) for reconsideration. Other appeals may be remanded at the discretion of Appeals Officer or, in limited circumstances, heard by the Appeals Officer.
- Sanctions/preventative measures imposed as the result of an investigation/administrative review are implemented as noted on the individual’s decision letter.

- The Appeals Officer will render a written decision on the appeal to all parties within ten (10) business days without significant time delay between notifications for all parties.
- Once an appeal is decided, the outcome is final. Further appeals are not permitted, even if a decision or sanction is changed on remand.
- In rare cases where a procedural or substantive error cannot be cured by the original administrative review officer(s) (as in cases of bias), the Appeals Officer may recommend a new administrative review with a new administrative review officer. The results of a remand cannot be appealed. The results of a new administrative review can be appealed, once, on any of the three applicable grounds for appeals.
- In cases where the appeal results in reinstatement to the University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.
- The right to be informed of the names of all witnesses whose information will be used to render a finding, in advance of that finding, except in cases of compelling safety concerns.
- The right to not have irrelevant prior conduct history or incidents used in the determination of investigation.
- The right to regular updates on the status of the investigation.
- The right to have reports addressed by Administrative Review Officers who have received annual Investigator training.
- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to meetings and/or interviews that are closed to the public.
- The right to petition that any University representative in the process be recused on the basis of demonstrated bias or conflict-of-interest within two business days of being notified of the identity of the Investigator(s).

For cases of Sexual Misconduct, if the appeal party(s) request to meet, the Appeal Officer will offer to meet separately with each of the parties to review the appeal.

## O. Complainant and Respondent Rights

### Complainant Rights

- The right to investigation and appropriate resolution of all credible allegations of Student Prohibited Conduct made in good faith to University officials.
- The right to be treated with respect by University officials.
- The right to have University policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported Student Prohibited Conduct.
- The right not to be discouraged by University officials from reporting Student Prohibited Conduct to both on-campus and off-campus authorities.
- The right to be informed by University officials of options to notify proper law enforcement authorities, and the option to be assisted by campus officials in notifying such authorities, if the Complainant so chooses. This also includes the right not to be pressured to report.
- The right to have reports of Student Prohibited Conduct responded to promptly and with sensitivity by campus officials.
- The right to be notified of available counseling, mental health, victim advocacy, health, legal assistance, student financial aid, visa and immigration assistance, or other student services, both on campus and in the community.
- The right to notification, and assistance in, changing academic and living situations after an alleged Student Prohibited Conduct incident, if such changes are reasonably available (no formal report or investigation, campus or criminal, need occur before this option is available).
- The right to have the University maintain such accommodations for as long as necessary, and for protective measures to remain confidential, provided confidentiality does not impair the institution's ability to provide the accommodations or protective measures.
- The right to be fully informed of campus policies and procedures as well as the nature and extent of all alleged violations contained within the report.
- The right to review all relevant documentary evidence available regarding the report, subject to the privacy limitations imposed by state and federal law, prior to a determination of findings.

- The right to bring a victim advocate or advisor of the Complainant's choosing to all phases of the investigation.
- The right to a fundamentally fair resolution, as defined in these procedures.
- The right to a decision based solely on evidence presented during the investigation. Such evidence shall be credible, relevant, based in fact and without prejudice.
- The right to be promptly informed of the outcome and sanction of the investigation in writing, without undue delay between the notifications to the parties.
- The right to be informed in writing of when a decision by the University is considered closed.

### Respondent Rights

- The right to investigation and appropriate resolution of all credible allegations of Student Prohibited Conduct made in good faith to University officials.
- The right to be treated with respect by University officials.
- The right to have University policies and procedures followed without material deviation.
- The right to have reports of Student Prohibited Conduct responded to promptly and with sensitivity by campus officials.
- The right to be informed of, and have access to, campus resources for medical, health, counseling, and advisory services.
- The right to be fully informed of campus policies and procedures as well as the nature and extent of all alleged violations contained within the report.
- The right to timely written notice of all alleged violations, including the nature of the violation, the applicable policies and procedures and possible sanctions.
- The right to review all relevant documentary evidence available regarding the report, subject to the privacy limitations imposed by state and federal law, prior to a determination of findings.
- The right to be informed of the names of all witnesses whose information will be used to render a finding, in advance of that finding, except in cases of compelling safety concerns.
- The right to not have irrelevant prior conduct history or incidents used in the determination of investigation.
- The right to regular updates on the status of the investigation.
- The right to have reports addressed by Administrative Review Officer(s) who have received annual Investigator training.
- The right to petition that any University representative be recused from the resolution process on the basis of demonstrated bias and/or



conflict-of-interest within two business days of being notified of the identity of the Investigator(s).

- The right to meetings and interviews that are closed to the public.
- The right to have an advisor of their choice to accompany and assist throughout the investigative process.
- The right to a fundamentally fair resolution, as defined in these procedures.
- The right to a decision based solely on evidence presented during the investigation. Such evidence shall be credible, relevant, based in fact and without prejudice.
- The right to be promptly informed of the outcome and sanction of the investigation in writing, without undue delay between the notifications to the parties.
- The right to be informed in writing of when a decision by the University is considered closed.
- The right to be informed of the right to appeal the finding and sanction(s) of the investigation, and the procedures for doing so in accordance with standards for appeal established by the University.

## P. Student Prohibited Conduct

Student Prohibited Conduct includes the defined forms of behaviors listed below.

A sub-set of the Student Prohibited Conduct listed below applies **only** to behaviors that take place or originates in on-campus housing facilities (owned or leased), as well as at on-campus housing sponsored events/ programs/initiatives. Those specific Student Prohibited Conduct will have "housing" listed in the name.

All other student prohibited conduct, not specified, applies to conduct that occurs on ALL University campus or other property owned or controlled by the University and/or University education programs and activities and as further defined under the Code of Student Conduct jurisdiction.

The most recent and current list and definitions of Student Prohibited Conduct is available at <https://laverne.edu/student-affairs/student-conduct/>.

- Abuse of Administrative Review Process & Retaliation
- Alcohol
- Alteration of Premises
- Animals/Pets
- Appliances (Housing)
- Assault
- Bullying and Cyberbullying
- Care of Common Areas & Property (Housing)
- Care of Rooms (Housing)
- Concealment & By-Standing
- Dangerous Behavior
- Discrimination
- Disruptive Behavior
- Drugs & Controlled Substances
- Election Tampering
- Failure to Comply
- Falsification & False Accusations
- Fire Safety & Hazards
- Furniture

- Gambling
- Gatherings (Housing)
- Guest/Visitors
- Harassment
- Hazing
- Improper Room Transfer (Housing)
- IT & Acceptable Use
- Keys & Locks
- Lewd Behavior
- Parking
- Posting
- Projectiles
- Quiet Hours & Noise (Housing)
- Relationship Violence
- Safety & Security
- Sexual Assault
- Sexual Contact
- Sexual Exploitation
- Sexual or Gender Based Harassment
- Smoking
- Soliciting
- Sports Related Activities
- Stalking
- Theft & Stolen Property
- Trademark
- Trespassing & Restricted Access
- Vandalism
- Weapons, Firearms, Explosives
- Wheeled Device

Reports of Student Prohibited Conduct may be submitted at: [https://cm.maxient.com/reportingform.php?UnivofLaVerne&layout\\_id=5](https://cm.maxient.com/reportingform.php?UnivofLaVerne&layout_id=5) ([https://cm.maxient.com/reportingform.php?UnivofLaVerne&layout\\_id=5](https://cm.maxient.com/reportingform.php?UnivofLaVerne&layout_id=5)).

## Q. Revisions & Updates

The University reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect. The Dean of Student Affairs may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules, etc. The Dean of Student Affairs may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form.

Procedures in effect at the time of the investigation will apply to all incidents, regardless of when the incident occurred. Policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution, unless the parties consent to be bound by the current policy.

Students are provided a copy of this policy annually in the form of an email with a link to the University of La Verne website where this information is available. Students are responsible for having read and abiding by this policy.

## Responsibilities

### Academic Honesty Expectations and Responsibilities

Each student is responsible for performing academic tasks in such a way that honesty is not in question. No individual student can be held responsible unless a finding of fact has determined that it is more likely than not that they (and not just a group) violated the policy. Unless an exception is specifically defined by an instructor, students are expected to maintain the following standards of integrity:

1. All tests, term papers, oral and written assignments, recitations, master's thesis, doctoral dissertations, and all other academic efforts are to be the work of the student presenting the material.
2. Any use of wording, ideas, or findings of other persons, writers, or researchers requires the explicit citation of the source; use of the exact wording requires a "quotation" format.
3. Avoid deliberately supplying material to a student for purposes of plagiarism. Assisting another student to engage in plagiarism is a violation of the standards of integrity. Student collaborators are also subject to academic or disciplinary sanctions.
4. Avoid submitting your own work for which you previously received points/credit in another course. Self-plagiarism is considered plagiarism and is not acceptable for assignments in part or in whole in a future course without prior permission from the instructor in the new course.
5. Avoid plagiarism in group work that endangers the project for the entire group or inadvertently implicates group members who have not, in their own work and actions, engaged in academic honesty violations. Individual academic tasks in group assignments should be performed in such a way that honesty is not in question. When the instructor has reason to suspect the individual student has violated any academic honesty responsibilities in a group project, the individual may be held responsible for the academic honesty violation that is specific to the student's own work. Where group assignments make it difficult to identify the individual who submitted plagiarized item(s), the entire project may be subject to academic penalty such as but not limited to a grade of zero or fail, or may be returned to the group for resubmission.

### Procedures for notifying a student when academic honesty is violated

When the instructor has reason to suspect that a student violated any academic honesty responsibilities, the procedures below will occur.

In all cases, our accountability process will strive for a process that is fundamentally fair to the student. Students who are accused of academic honesty will:

- Receive written notice by the instructor of the allegation of the prohibited conduct.
- Have the opportunity to review the evidence used to determine that academic honesty was violated.
- Have the opportunity to present evidence in writing that the student feels are appropriate to dispute the allegation of academic dishonesty.
- Have the opportunity to appeal in writing to the instructor and/or the program or academic chairperson; may appeal in writing to the academic dean, first, then to the Provost.
- Receive written notice about findings of the investigation, and subsequent appeal outcomes at each level of appeal following academic governance procedures.

### Procedures for reporting incident(s) of academic honesty violation(s)

If the academic action includes giving a course grade of NCR or F because of academic dishonesty, and the student is not disputing the allegation, the instructor must report the action to the Department or Program Chair, their College Dean, and the Office of Academic Advising. The instructor will submit copies of the assignment(s) and corroborating materials (Safe Assign report or original online sources) they used as evidence that academic honesty has been violated. The evidence becomes part of the student's academic record and incident report that is filed in the Office of Academic Advising. The College Dean will immediately notify the Office of Academic Advising, and the University Registrar to record the grade of F or NCR for the course. Only the grade becomes part of the academic transcript unless the student is also suspended or expelled from the university. Students may not drop or withdraw from the course after they have been sanctioned for academic dishonesty. The student will be notified in writing by the College Dean.

### Procedures for the application of academic or disciplinary sanctions

Students who are found to have violated the rules of academic honesty are subject to sanctions that are graduated responses proportional to the misconduct and will have a chance for education. For example, in a minor violation of plagiarism, the student has the right to know what they did wrong and how to correct it. Mistakes in citing sources or ignorance of what constitutes plagiarism may be treated differently than if a student engaged in willful and repetitive violation(s) of academic honesty. Part of the evaluation process for sanctions, including suspension or expulsion, will include the number and severity of the current and prior violations of academic honesty.

### Academic Actions

The instructor's delegation of authority for academic consequences are limited to the sanctions below. The student:

- Will be required to meet with the instructor, chair, or administrator to review the evidence and how to correct it. The student may be asked to sign an acknowledgment of the meeting and the corrective steps they will take to avoid future incidents.
- May be required to rewrite a paper or retake a test.
- May receive an F or NCR on the assignment.
- May receive an F or NCR for the course and will be recorded on the academic transcript.
- Will stop attending classes if they fail the course even if the academic session or term has not yet concluded.
- Will be given a written university warning.

The College Dean's delegation of authority for academic consequences that are proportional to the misconduct—in addition to upholding the academic consequences above—include the application of one or more of the sanctions below. The student:

- May be placed on university probation for one academic session or term following the academic session or term of the alleged infraction.
- May be suspended for one academic session or term following the academic session or term of the alleged infraction.
- May be expelled from the university by recommendation to the University Provost.

If the instructor's or department or program chairperson's actions include a recommendation for suspension or expulsion because of academic dishonesty, the College Dean will review the recommendation

to suspend or expel the student. If the College Dean agrees with the recommendation for suspension, they may suspend the student for one academic session or term. The College Dean will immediately notify the Office of Academic Advising, and the University Registrar to record the grade of F or NCR for the course and whether or not the student has been suspended for one academic session or term. Only the grade becomes part of the academic transcript unless the student is also suspended. A suspension for academic dishonesty will be noted on the student's transcript by the words "Suspended for Academic Dishonesty." The College Dean will notify all parties about their decision to reverse or uphold the academic sanction, and whether or not any other disciplinary sanctions will be applied. If the College Dean agrees with the recommendation for expulsion, they may recommend expelling the student to the Provost.

The Provost may review the evidence and decide if the allegation and disciplinary action are upheld or may form an Academic Judicial Board comprised of faculty from outside of the college where the allegation originated to investigate the matter further. The student may be asked by the Academic Judicial Board to appeal the disputed allegations in writing, including the opportunity to produce additional evidence such as earlier drafts of their work and/or original notes and resources, other samples of writing, or documents deemed appropriate or necessary. The evidence becomes part of the student's academic record. The Academic Judicial Board will review the written evidence and decide if academic honesty has been violated. The Academic Judicial Board will report their finding and recommendations to the Provost. The Provost will take appropriate actions that may include but are not limited to uphold or reverse the original academic or disciplinary sanctions, and consider if suspension or expulsion is appropriate. The Provost's decision is final and delivered in writing to all the parties.

### **Procedures for students who dispute the allegation of academic honesty violation**

If the student denies the allegation of a violation of academic integrity or disputes the academic or disciplinary actions, the faculty member will refer the matter to the Department or Program Chair. The Department or Program Chair will review the evidence and decide if the allegation and academic sanction are upheld. If the student disputes the Chair's conclusion to uphold the original sanction, then the Chair will refer the case to their College Dean. The College Dean will review the evidence and decide if the allegation and academic sanction are upheld. The College Dean may add disciplinary sanctions that are proportional to the misconduct as described above. If the student disputes the College Dean's conclusion to uphold the original academic decision and the new disciplinary sanctions, the student may appeal in writing to the Provost.

The Provost may review the evidence and decide if the allegation and disciplinary action are upheld or may form an Academic Judicial Board comprised of faculty from outside of the college where the allegation originated to investigate the matter further. The student may be asked by the Academic Judicial Board to appeal the disputed allegations in writing, including the opportunity to produce additional evidence such as earlier drafts of their work and/or original notes and resources, other samples of writing, or documents deemed appropriate or necessary. The evidence becomes part of the student's academic record. The Academic Judicial Board will review the written evidence and decide if academic honesty has been violated. The Academic Judicial Board will report their finding and recommendations to the Provost. The Provost will take appropriate actions that may include but are not limited to uphold or reverse the original decision and sanctions, and consider if suspension or expulsion

is appropriate. The Provost's decision is final and delivered in writing to all the parties.

A suspension for academic dishonesty will be noted on the student's academic transcript by the words "Suspended for Academic Dishonesty." An expulsion for academic dishonesty will be noted on the student's transcript by the words "Expelled for Academic Dishonesty."

College of Law students are covered by the academic dishonesty policies contained in the College of Law Manual of Academic Policies and Procedures.

## **Appeals Procedures on Academic Matters**

Students may appeal final grades, academic honesty decisions, most policy decisions, and they may submit academic grievances. All must be made in a timely manner, within four weeks of the action or decision in question. **All appeals must be submitted in writing only. Administrative fees may be assessed.** Please contact Academic Support and Retention Services for more information.

### **Final Grades**

Procedures for appealing final grades are contained in the Final Grades section of this catalog. Appeals begin with the instructor of the course and then goes successively to the program chair or department chair, the college Dean, and the Provost. The decision of the Provost is final.

### **Academic Honesty**

Procedures for appealing academic honesty violations are contained in the Academic Honesty section of this catalog. Appeals begin with the instructor and then may be taken successively to the program chair or department chair, college Dean, and Provost. The decision of the Provost is final.

### **Academic Disqualification (Undergraduate)**

Students who have been disqualified may not register for subsequent terms. A disqualified student may appeal for reinstatement to the Associate Vice President of Academic Support and Retention Services. An ROC student may appeal for reinstatement to the Dean of ROC. A plan to improve academic performance must be submitted and a contract signed. Appeals must be made immediately upon notification of disqualification.

### **Academic Disqualification (Graduate)**

Students who have been disqualified from a graduate program may not register for subsequent terms. A disqualified graduate student may appeal for reinstatement to the Academic Dean of his or her college. Should the dean reinstate the student and the student not meet the conditions specified at the time of reinstatement, academic disqualification will result.

### **Academic Policy Exceptions**

Appeals for exceptions to academic policy must be submitted to the Undergraduate Appeals Committee or the Graduate Appeals Committee. **Appeals must be made in writing within one year**, on the appropriate appeals form, with the signatures of the academic or program advisor and appropriate course instructors. Students are advised to write a detailed statement indicating the reasons they are requesting the exception to university policy and provide supporting documentation to substantiate their reasons. Each appeal is carefully reviewed by the committee and a decision is sent to the student's La Verne email address. Students can obtain this form from the Office of the Registrar. Graduate students may obtain this form from Graduate Academic Services or their Regional Campus Office. **Appeals Committee decisions may be**

**challenged with a written appeal to the Provost.** The decision of the Provost is final.

## Appeals by Students with Disabilities

La Verne has established a set of procedures that address policy implementation for students with disabilities. Should any student desire to initiate action related to a diagnosed disability or to initiate testing for a disability, the student should refer to the Information and Accommodations Packet which can be accessed through the university website under Disabled Student **Services**.

## Statute of Limitations for Academic Appeals

All appeals must be submitted in a timely manner to be considered. Appeals requesting an action affecting registration, grades for a previous term, or extension of time for degree completion will be accepted as follows:

Retroactive **Registration, Add, or Drop** for a previous Semester/Term:

- All requests in reference to a **Registration, Add, or Drop** for a previous semester/term must be submitted with all supporting documentation within one (1) calendar year from the end of the semester/term being appealed.
- Exceptions may include appeals for retroactive Continuous Enrollments. Continuous Enrollment appeals will be considered on a case by case basis.

Retroactive **Withdrawals** for a previous Semester/Term

- All requests in reference to a retroactive **withdrawal** for a course in a previous semester/term must be submitted with all supporting documentation within one (1) calendar year of the ending date of the semester/term being appealed.

Appeals for Extension of Time to Complete expired Grades:

- Appeals to request an extension of time to complete an expired INC/IP must be submitted one (1) calendar year from the end of the semester/term the grade expired.

Appeals for an extension of time to complete degrees submitted by undergraduate students will be considered if the following conditions have been met:

- The student applied for graduation prior to the time they last attended the University.
- The student has the support of their faculty advisor/academic program chair.
- The student must be able to complete all degree requirements within one (1) calendar year of the appeal being approved by the Undergraduate Appeals Committee.

Students whose appeals are approved for an extension of time to complete the degree requirements may be required to take additional GE/ Major course requirements. Note: additional courses in the major may be required as prescribed by the academic program chair.

## Academic Grievances

In rare instances, a student may have a grievance that cannot be addressed by any of the established appeal procedures described above. In such cases, no matter where the student studies, the grievance must be submitted to the Associate Vice President of Academic Support and Retention Services who will appoint an appeals panel, consisting of

representatives from appropriate academic and/or administrative units, to review the grievance. The panel will review all documented information, including any written statement and/or phone statements that the student wishes to provide. Upon completion of the review, the appeals panel will submit its findings and recommendations to the Provost. The decision of the Provost is final.

## Class Attendance

The University of La Verne Faculty believes class attendance is equally important as classroom conduct to foster successful learning and academic success. University Faculty support efforts to ensure students who are enrolled in courses are attending scheduled online or face to face sessions and are fully participating in required course activities and assignments. The University of La Verne Faculty requires regular and prompt attendance in all courses. Students who do not attend courses without prior consent of the faculty member will not be guaranteed a space in the course if the student:

1. does not attend the first week of the term/semester for a course or
2. does not comply with the online instructor's attendance requirements (e.g., logging into the online course) the first week of the term.

**Students who do not attend courses or participate online as described above may be administratively dropped, at the discretion of the instructor and/or Regional Campus Director. Students who do not attend the first-class session (in class or online) may be administratively dropped, however, registration adds, drops and withdrawals are a student responsibility.**

Students who add a course during open registration period or by instructor approval after the open registration period must attend consecutive class meetings equivalent to one week to secure their spot in the course. For example, if a course meets three times a week, students are expected to attend three consecutive class sessions; students who enroll in online courses are expected to have logged in and completed all assignments up to the current week of attendance.

## Attendance Policy

Students have the responsibility to drop the course from their schedule during the open registration period to be eligible for refunds per the University's refund policy schedule. This needs to be done within the open registration period to avoid a failing grade, financial obligations, or late fees. Students should refer to the class syllabus for the instructor attendance policy for every course they are registered. The instructor may assign extra work, require special examinations, or refuse to grant credit for a course based on the number of class sessions missed.

## Administrative Withdrawal

The University of La Verne supports the faculty's right to administratively withdraw enrolled students who miss more than 50% of scheduled course meetings and/or the equivalent of required assignment or activities within the first 50% of the course duration. Instructors may on a case-by-case basis make exceptions for students who demonstrate extenuating circumstances such as illness or other documented circumstances. All refund policies and financial aid policies apply.

Administrative withdrawal is also subject to the following provisions:

- It is recommended that faculty reference this catalog policy in their syllabi if they intend to exercise rights granted by this attendance policy. Students may not plead ignorance of this attendance policy as published in the catalog in the absence of language in course syllabi.



- Instructors may initiate administrative withdrawal on the first day after the fee refund period.
- The University Registrar will notify students who have been administratively withdrawn from a course at the Instructors' request.
- Students who are administratively withdrawn for limited or non-attendance or limited participation as noted above will earn a grade of W on their transcript for each course that the students has been withdrawn.
- Students who are administratively withdrawn for limited or non-attendance or limited participation as noted above will not be eligible for a tuition refund and may be subject to further sanctions associated with financial aid eligibility policies found in this catalog. Example: a drop in unit value could compromise full-time or half-time standing tied to financial aid eligibility.
- Faculty who choose to not administratively withdraw students reserve the right to assign the appropriate grade at the end of the semester that is consistent with University grading policies.

## Student Professional Conduct

Professional conduct inside and outside the classroom by university students is an important expectation that transfers to a workplace environment. As such, we expect all students to always present themselves in a professional manner and engage in conduct that is appropriate and respectful to the instructor and their classmates. The Code of Student Conduct, Classroom Conduct, Academic Honesty, and the Honor Code in this catalog outline instructor and student expectations that are conducive to a high standard of integrity and a safe learning environment. Students are expected to strive to represent the university with integrity, purpose, and pride in all academic matters, including honest behavior, and acceptance of responsibility for their own words or actions. Students are free to engage in civic debates, inquiry, and expression but are expected to maintain standards of conduct that encourage the free exchange of ideas—their own and those of others—that are appropriate to the topic of the course.

## Classroom Conduct

Students who matriculate in courses at the University of La Verne agree to engage in appropriate professional conduct inside the classroom or any other educational space that students may reside (ie. Internships, fieldwork sites, and in-person, online, virtual, etc). Inappropriate, disruptive, or unprofessional conduct is not acceptable and defined in the university catalog's Student Code of Conduct and Prohibited Student Conduct. Prohibited Student Conduct is a subsection of the Code of Student Conduct which outlines the specific behaviors that are prohibited. The jurisdiction of the Code of Student Conduct applies to all students; the definition and the associated policies apply. Prohibited student conduct in student housing may be specific to that area. Consequences for unacceptable conduct may include failing the class, removal from the program, and/or referral to the College Dean where the incident occurred for disciplinary action including but not limited to administrative withdrawal from a course, university warning, probation, suspension, or expulsion from the degree program or the university.

Instructors are responsible for presenting appropriate material in courses, and students are responsible for learning this material. Although it is a student's academic performance that is evaluated in determining grades, student conduct is important in the academic setting. Enrollment in a class may be terminated by an administrative withdrawal due to unsatisfactory conduct in the class; disrespect of an instructor, faculty member, administrator, or staff member; academic dishonesty; judicial misconduct; or sanctions. A faculty member who wishes to request that

a student(s) be administratively withdrawn should inform the department chairperson, support the request with evidence that the student(s) was warned either in writing or verbally and notify the Office of Academic Advising. The Office of Academic Advising will process the Administrative Withdrawal and notify the student in writing. All refund and financial aid policies apply.

Each student is responsible for maintaining standards of academic performance established for each course in which he or she is enrolled. Only students registered in the course, University staff, and guest invited by the instructor may attend class sessions. All others, including children of registered students, will be asked to leave. If a minor child is present, both the parent and the child will be asked to leave.

## Demonstration Policy

The University of La Verne is absolute in the belief of the right of free speech, and the intellectual development and self-definition of students, faculty, and staff. Demonstrations are often a part of the expression of ideas and beliefs. Experience leads us to believe that campus activities function better when there are policies to assure that demonstrations and the educational environment can exist side by side. La Verne's Demonstration Policy is as follows:

1. *Access to Buildings and Offices:* Participants may enter campus buildings for the purpose of conducting orderly and peaceful demonstrations. Exterior doorways and interior doorways that open into the office of administrative officials, faculty, or staff or into any other essential facility or building may not be blocked. Participants may stand or sit in the hallways but may not block the hallways or stairs. Participants may not enter or occupy any room or office without the permission of the faculty or staff member or administrative official in charge of that office.
2. *Noise Level:* Noise in the building shall not be as loud as to prevent office workers from carrying on their normal business or so loud as to interfere with classes that meet in the building.
3. *Placards:* Placards used by demonstrators inside or outside the building may be made of poster board or other similar material, but not out of material of a hard substance. Placards may be carried or worn on the person, but not tacked, or nailed to trees or lampposts or to the walls and windows of the building. Placards may be affixed by tape or string and remain in place for the duration of the demonstration so long as they do not damage the structures to which they are affixed.
4. *General Conduct:* Students shall abide by the Behavior Standards of the University. Participants who are not affiliated with the University shall conduct themselves as guests and will be asked to leave the campus if their conduct is, in the judgment of University officials, disruptive or otherwise contrary to the mission of the University.
5. *Hours:* Participants in the demonstration may be present in building(s) only during the normal hours of operations (i.e., when the buildings are open for business).
6. *Amplifying Equipment:* No loudspeaker or other amplifying equipment is permitted inside or outside the building. Participants may use hand held megaphones outside the building, but these may not be connected to any type of electrical amplifying device. Electrical amplifying devices are subject to confiscation. Exceptions are not allowed.
7. *Care of University Property:* Reasonable care must be taken to reduce as much as possible any damage to University buildings and lawn and turf areas. Trash must be collected and placed into trash

containers. Participants who damage University property will be subject to financial restitution.

8. *Reservations*: Student, faculty, or staff groups wishing to reserve the Quad, the Mall, or rooms for a demonstration may do so using the appropriate reservation procedures for these areas.
9. *Sanctions*: Violations of this policy will be subject to University Judicial Procedures.

## **Honor Code**

The students of the University of La Verne agree to strive to represent the University of La Verne with integrity, purpose, and pride in all academic matters. We will demonstrate honest behavior and expect honesty from others, and we will accept responsibility for our own words and actions. (For a complete copy of the University of La Verne Honor Code go to: <https://laverne.edu/student-life/asulv/>)