

## ALCOHOL AND OTHER DRUGS:

### Alcohol Policy

The State of North Carolina prohibits the use of alcohol by persons under the age of 21. It is also illegal, in our state, for a person of legal alcohol drinking age to purchase for or provide alcohol to anyone who is underage. Methodist University fully supports and upholds the state law. The **possession or consumption of any alcoholic beverage is prohibited on the Methodist University campus regardless of one's age.** Possession is defined as having any alcoholic beverage or its commercially produced container, or materials used to create consumption of alcohol such as beer bong, funnels and tubing, etc., on the student's person, in the student's room, in the student's automobile, or among properties owned or being used by the student. Given reasonable cause, residence hall rooms, common living areas, and automobiles may be searched for alcohol. All residents and/or visitors who are found in the presence of alcohol possession or consumption are subject to the same sanctions as the individual(s) who actually brought the alcohol and/or alcohol containers into the environment or were possessing or consuming it regardless of how long they were present on the scene.

### Consequences of Alcohol Related Violation

The first time that a student is found responsible for the possession, on campus, of an alcoholic beverage or a commercially produced alcoholic beverage container, he or she will be subject to the following sanctions:

1. **Up to a \$100 fine (The actual amount of the fine is related to the severity of the offense). Students will also be assigned up to 20 hours of community service, which must be completed within the designated time given.**
2. **Required participation in a substance abuse assessment and, any follow-up counseling, education, and/or treatment to be conducted by the Director of the Center for Personal Development. If a student fails to comply with the assessment, education, and/or treatment recommended by the Director of the Center for Personal Development, he or she will be subject to a minimum of an additional \$500 fine, and a maximum of suspension.**
3. **If the student is under the age of 21, the Dean of Students will write a letter to the parent(s) or legal guardian(s) of the student informing them that the student has been found responsible for his or her first alcohol related offense. The letter will also recommend that the parents become directly involved in an effort to create a situation that will minimize the chances of the student becoming involved in a second alcohol related incident.**

The second time that a current student is found responsible for possession, on campus, of an alcoholic beverage or a commercially produced alcoholic beverage container, he or she will be subject to the following sanctions:

1. **Payment of a \$200 fine.**
2. **Additional participation in a substance abuse assessment and, if required, follow-up counseling, education, and/or treatment to be conducted by the Director of the Counseling and Psychological Services. As in the case of the first offense, if a student fails to comply with the assessment, education, and or treatment related directions provided by the Director of the Counseling and Psychological Services, he or she will be subject to a minimum of an additional \$500 fine, and a maximum of expulsion.**
3. **If the student is under the age of 21, the Dean of Students will write a letter to the parent(s) or legal guardian(s) of the student informing them that the student has been found responsible for his or her second alcohol related offense. The letter will also recommend that the parents become directly involved in an effort to create a situation that will minimize the chances of the student becoming involved in a third alcohol related incident (for students under 21).**
4. **Student will be placed on disciplinary probation.**

The third time that a current student is found responsible for possession, on campus, of an alcoholic beverage or a commercially produced alcoholic beverage container; he or she will be subject to a **minimum of suspension and a maximum of expulsion.**

### Alcohol and Disruptive/Destructive Acts of Behavior

Maintaining a high quality of life in our community is very important to us. For this reason, we will apply even greater consequence for acts that are disruptive or destructive to our campus that include the possession of alcohol. Such acts include, but are not limited to, supplying alcohol to minors, acts of vandalism, destruction of personal or University property, disruptive noise, public drunkenness, regurgitation in shared living areas and public areas, verbal attacks, harassment, and acts of violence. If a student is found responsible of conducting acts that are disruptive or destructive to our campus community while in the possession or under the influence of alcohol, they will be subject to the following sanctions:

*First incident, an additional \$150 fine*

*Second incident, minimum additional \$250 fine, and a maximum of suspension*

*Third incident, a minimum of suspension, and a maximum of expulsion*

If a student's disruptive or destructive acts result in damage to personal or University property, the student will also be fined the same amount that will be required to repair or replace the damaged property. **Students who commit disruptive or destructive acts can also be held responsible for other violations of the code of conduct, if warranted.**

### Readmission after Alcohol Suspension

Any student who is suspended for an alcohol related offense, and who wishes to be considered for readmission to Methodist University will be required to undergo a substance abuse assessment, given by a certified substance abuse counselor. The student must also successfully complete all prescribed education and treatment. The student's substance abuse counselor must then write a formal letter to the Dean of Students that clearly indicates what specific treatment/education was administered to the student. The letter must also note that the student has successfully completed that treatment, and that the counselor recommends that the student be allowed to return to Methodist University. The student must also sign a release, for his/her substance abuse counselor, that allows that individual to freely discuss the student's treatment and rehabilitation status with both the Dean of Students and with the

Director of Counseling and Psychological Services. Once the contents of the letter are verified, the Dean of Students will inform the student, in writing, of the Dean's decision on his/her request for readmission. **Any student who is suspended for an alcohol related offense, and is eventually allowed to return to Methodist University, will be required to continue substance abuse treatment and education at the discretion of the Director of Counseling and Psychological Services. The Dean of Students may impose additional readmission restrictions on a case-by-case basis.**

### Drug Policy

Methodist University has zero tolerance for the use, possession, and/or the distribution /sale of illegal drugs.

The following are prohibited:

#### Illicit Drugs

- a. Possessing or using illegal substances, as defined by federal, state, and local statutes.
- b. Possessing or using controlled substances as defined by federal, state, and local statutes. (Controlled substances may be taken pursuant to a properly issued prescription, provided the controlled substance is taken as and in the amount prescribed.)
- c. Distributing, selling, or possessing with the intent to distribute illegal or controlled substances, as defined by federal, state, and local statutes.
- d. Possessing or using drug paraphernalia (including but not limited to pipes, bongos, etc.).
- e. Being under the influence of illegal or controlled substances as demonstrated by actions and/or other evidence such as the smell of marijuana on the student's clothing and/or person.
- f. Growing and/or manufacturing any illegal substance.

All students, who are present at a time that illegal drug possession or consumption is established are subject to the same sanctions as the individual(s) who brought the drug into the environment or were possessing it or consuming it.

Given reasonable cause, drug testing may be required of students suspected of a drug related offense. Reasonable Cause in Drug Use Situations is defined as the odor of marijuana on the student's clothing and/or person, in a campus residence, personal vehicle or any other confined space that belongs to or is assigned to the student and/or in a confined space where the student is located when the odor is detected. Refusal to participate in such testing may be used as grounds for the suspension or other discipline of a suspected violator or consuming it regardless of how long they were present in the room or common living area. Student(s) who possess expired prescription drugs and/or unreasonable, large quantities of prescription drugs will be asked to provide independent, medical verification that the quantity and the prescription is valid. If students are unable to obtain medical verification, he or she will be subject to the sanctions outlined in this policy.

#### Odor of Marijuana

If the odor of marijuana is present (room, vehicle, etc.) without physical evidence, the student will be found responsible for "being in the presence of marijuana odor". Sanctioning will include one semester of Disciplinary Probation. A substance abuse evaluation through the Center for Personal Development will be required. Additionally, students who are in the presence of marijuana odor will be offered the option of taking a drug test to clear charges with a negative drug test result. If a student is found in the presence of the odor of marijuana for a second or any additional incidents, drug testing will be required.

If students are in the presence of physical evidence, then those who are guests may be tested if they deny responsibility. The residents of the room and/or the owner of the vehicle may be found responsible for possession without being tested.

#### Drug Sanctions

Any student who is found in violation of Methodist University's policy against use, possession, and/ or the distribution and/ or sale of illegal drugs, or drug-related paraphernalia, or in violation of the University's policy against the abuse or sale of prescription drugs or over-the-counter drugs will be subject to a **minimum of suspension** and to a **maximum of expulsion**. When large quantities of illegal drugs are involved or there is evidence of drug distribution, the implicated student will be subject to **criminal arrest and will face prosecution by civil authority**.

#### Readmission after Drug Suspension

Any student who is suspended for a drug related offense, and wishes to be considered for readmission to Methodist University, will be required to undergo a substance abuse assessment, conducted by a certified substance abuse counselor. The student must also successfully complete all prescribed education and treatment and must pass periodic drug testing during the period of their suspension, as directed by the Dean of Students.

The student's substance abuse counselor must then write a formal letter to the Dean of Students, clearly indicating the specific treatment and education administered to the student and reporting that the student has successfully completed that treatment. Finally, the letter must clearly recommend that the student be allowed to return to Methodist University.

The student must also sign a release that allows his or her substance abuse counselor to freely discuss the student's treatment and rehabilitation status with both the Dean of Students and with the Director of Counseling and Psychological Services.

Once the contents of the letter are verified, the Dean of Students will inform the student, in writing, of the Dean's decision on the request for readmission. Any student who is suspended for a drug related offense and is eventually allowed to return to Methodist University will be subject to periodic and unannounced drug testing for a period of one year from the date of his or her registration. Additionally, the readmitted student will be required to continue substance abuse treatment and education at the discretion of the Director of Counseling and Psychological Services. The Dean of Students may impose additional readmission requirements on a case-by-case basis.

**Health Risk and Effects:**

Alcohol and drug usage causes a number of marked changes in behavior. Even low doses significantly impair judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including domestic violence and date rape. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. Repeated use of alcohol and drugs can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Long-term consumption of large quantities of alcohol and drugs particularly with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

**Tobacco Policy**

Smoking is strictly prohibited in all campus buildings, and there is no smoking allowed within fifty (50) feet of any campus building. This prohibition extends to all hallways, lobbies, stairwells, restrooms, offices, classrooms and residence halls and apartments. The use of smokeless tobacco, to include eCigarettes and Water Vapor cigarettes, is also prohibited in all of the above places. Hookahs are not allowed on campus.

**Tobacco Sanctions**

Students who violate the community's policy against the use of tobacco will be subject to a minimum of a warning and a maximum of a \$100 fine.

**OTHER VIOLATIONS:****Arson and Fire Safety**

It is a violation of the Code of Conduct to tamper with fire alarm systems, fire extinguishers, or other fire protection equipment or to intentionally light a fire in a University building. Violators will receive a minimum of probation and may receive a maximum of expulsion from the University along with a fine of \$100.00. Such violations will also be handled in accordance with the ordinances and penalties of the City of Fayetteville and the Code of North Carolina.

**Assault and Battery**

For purposes of this policy, assault is defined as a verbal threat to do harm to another. Students who commit assault on another member of the Methodist University community or who are defiant or belligerent toward a University staff member, including students acting in a supervisory capacity, will receive a minimum of probation and may receive a maximum of expulsion from the University. Also for purposes of this policy, battery is defined as a physical attack upon another and/or an attempt to do harm to another. Unwanted physical contact by one person on another person may also constitute battery in certain situations. Students who commit battery on another member of the Methodist University community will receive a minimum of probation and may receive a maximum of expulsion from the University. Assault, battery, physical abuse, or verbal harassment of any person on the campus is prohibited.

**Bias-Related Intimidation or Harassment**

Demeaning or degrading comments gestures, verbiage, symbols, etc. regarding race, religion, creed, gender, age, ethnicity, national origin, physical disability, or sexual orientation are prohibited. Students who commit these offenses will receive a minimum of a verbal warning and may receive a maximum of expulsion from the University.

**Breaking and Entering**

Breaking and entering is unlawful entry to a building or a room. Unlawful entry into a locked or an unlocked exterior door is prohibited and will not be tolerated. Breaking and entering is an offense punishable under criminal law and under campus rules and regulations. Students who commit breaking and entering will be charged the cost of repairs, will receive a minimum of probation, and may receive a maximum of expulsion from the University.

**Bullying**

Any on-going behavior directed at or about a student that is degrading, humiliating, malicious or defamatory. Behaviors may occur in person, in print, via electronic means or through social networking (cyber-bullying). Examples include, but are not limited to: ongoing pranks or ridicule directed against an individual, graffiti, posting insults against a student in a public setting or on any website. Sanctions vary in relation to the violation.

**Complicity**

It is expected that students remove themselves from any situation in which violations of the Code of Conduct are occurring or are anticipated. Furthermore, it is the expectation of the University that Methodist students will be good citizens and as leaders, speak out against University violations by their peers. This code prohibits condoning, supporting or encouraging a violation of University policy. Sanctions vary in relation to the violation.

**Contempt**

Contempt is defined as disobedience of a Code of Conduct order, to include using violent or profane language or threatening any individual associated with the Code of Conduct system. Students who bribe, intimidate, or threaten anyone associated with the Code of Conduct system before or after a meeting or a hearing will also be found in contempt. Students found in contempt will receive a minimum of probation and may receive a maximum of expulsion from the University.

**Criminal Arrest, Charges or Conviction**

Students who are charged, arrested or convicted for violating local ordinances, North Carolina law or federal law may be subject to disciplinary action by the University up to expulsion from the University.

### **Defenestration**

Throwing objects from windows of any campus building is prohibited. Sanctions vary in relation to the violation.

### **Disorderly Conduct**

Disorderly Conduct is behavior which Methodist University regards as speech or action which 1) is disrespectful, offensive, and/or threatening, 2) interferes with the learning activities of other students, 3) impedes the delivery of University services, and; or 4) has a negative impact in any learning environment or social environment which include all areas within the residence halls. Disorderly Conduct includes physically, verbally (profanity of any kind) or psychologically harassing, threatening, or acting abusively toward faculty, administrators, staff, resident assistants or any student acting in a supervisory capacity in the performance of their duties. A student who engages in disorderly conduct will receive a minimum of probation and may receive a maximum of expulsion from the University.

### **Failure to Comply with the Direction of a University Official**

Failure to comply with the direction of a University official is defined as the disobedience of or disregard for a reasonable request by a University official. A University official is defined as faculty, staff, or students acting in a supervisory capacity in the performance of their duties. Students who do not comply with the direction of a University official will receive a minimum of probation and may receive a maximum of expulsion from the University.

### **Fans' Code of Conduct**

Methodist University encourages and promotes good sportsmanship. Fans of organized sports and intramurals are encouraged to support the participants and officials in a positive manner. Profanity, racial or ethnic comments, intimidating actions, or physical violence directed at officials, visiting teams, student-athletes, coaches, or team representatives will not be tolerated. Students who violate the fans' code of conduct will receive a minimum of a verbal warning and may receive a maximum of expulsion from the University.

### **Falsifying Information**

Providing statements, actions or representation that is false, misrepresents the truth, and/or is intended to deceive another is prohibited. This code is not intended to apply to academic related offenses. Sanctions vary in relation to the violation.

### **Fire Safety**

Methodist University has installed fire alarm systems in each residence hall. Fire extinguishers are available on each floor, and smoke alarms have been installed in every residence hall living area (including individual rooms). It is a serious violation of University standards and state laws for students to tamper with fire protection equipment. Students who tamper with fire protection equipment will be fined \$100.00, and will receive a minimum of probation, and may receive a maximum of expulsion from the University. Furthermore, it is also a federal offense to pull a fire alarm if there is not a fire.

### **Gambling**

Gambling is defined as the playing of games of chance or betting for money. Gambling is illegal in the state of North Carolina. Students who gamble will be given a minimum of a verbal warning and may receive a maximum of expulsion from the University.

### **Hazing**

As used in this policy, hazing is defined as any act committed against a student by another student, acting individually or in concert with others, or aiding or abetting such acts in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization, team, or group affiliated with Methodist University where such acts, either intentionally or unintentionally, has the effect of physically injuring, humiliating, harassing, intimidating, demeaning, or endangering the physical or the emotional health of any student. A violation of the hazing code can occur **on or off campus**. Methodist University will treat any act of hazing involving Methodist University students either on or off campus in precisely the same manner. Under North Carolina state laws, hazing is defined more narrowly as follows: "to subject another student to physical injury as part of an intimidation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group." N.C. Gen. Stat. 14-35. Such acts are criminal (Class 2 Misdemeanor) under this statute. In addition to disciplinary action for acts of hazing as defined more broadly by the University, a student who violates the state law definition of hazing is subject to prosecution by local or state authorities.

Students who are found in violation of the Methodist University Hazing Policy will be given a minimum penalty of **probation** and may receive a maximum penalty of **expulsion** from the University. As stated above, any student who violates the North Carolina statute on hazing may also face criminal charges.

### **Keys/Access Cards**

Unauthorized possession, duplication or use of a University key or access card is prohibited. Violators of this regulation shall receive a minimum of probation and may receive a maximum of expulsion from the University.

### **Littering**

No student shall dispose of trash, food, and refuse of any kind except in proper trash receptacles. No student shall in any way dispose of tobacco products except in receptacles properly designated for them on University property. Sanctions vary in relation to the violation.

### **Off-campus Conduct**

Although the University is not legally responsible or financially liable for the behavior of students off campus, it does reserve the right to take disciplinary action against students when their off-campus behavior violates University expectations and policies or when the behavior affects the University community. This rule applies whether or not the University sponsors the off-campus activities.

## Public Indecency

Behaving in a lewd or indecent manner in public (e.g. public urination, indecent exposure) is prohibited and inconsistent with the values of the University. Students found responsible for public indecency will receive a minimum of a \$25 fine.

## Reckless Endangerment

Intentionally or recklessly endangering, threatening, or causing physical harm to any person and/or their property is prohibited. Trespassing in areas that are posted, off-limits and/or restricted is a violation. Sanctions vary in relation to the violation.

## Responsibility for One's Actions

Being a student at Methodist University is a privilege. All of our students must abide by the regulations published in the Methodist University Student Handbook. Those whose behavior puts themselves or others at risk or which unreasonably disrupts the University environment will not be allowed to continue the privilege of being a student at Methodist University.

Every student is responsible for his or her actions at all times. Being under the influence of alcohol or other drugs is no excuse for improper action and, in fact, makes the violation more serious. Students are also responsible for their actions during off-campus trips.

## Sexual Discrimination, Sexual Harassment, Sexual Violence, and Title IX Policy and Adjudication Procedures

### 1. Definitions and Jurisdiction:

Sexual discrimination, as defined herein, is strictly prohibited by Methodist University.

Sexual discrimination includes sexual harassment and sexual violence. Sexual harassment is unwanted conduct of a sexual nature. It includes unwanted requests for sexual favors and other unwelcome sexual advances, and may be verbal or non-verbal. Sexual violence is a form of sexual harassment, and means physical sexual acts perpetrated against a person's will, or when the person is incapable of giving consent because of a disability, drug or alcohol use, or another reason. Consent is words or actions that demonstrate a knowing or voluntary willingness to engage in mutually agreed upon sexual activity. Examples of sexual violence include rape, "date-rape," sexual assault, and forcefully coercing someone to have sex or perform a sexual act.

The procedures of this section apply only to complaints made against a Methodist University student for engaging in some form of sexual discrimination. The person making the report of sexual discrimination is known as the "Complainant." The person whose conduct is complained about is known as the "Respondent."

### 2. General Procedure

- a. Receiving a Complaint: Complaints of sexual discrimination may be made to the Director of Human Resources at 910-630-7385, who is Methodist University's designated Title IX coordinator. Complaints against students will be forwarded to the Dean of Students for further processing. Complaints of sexual violence will be forwarded to campus police and to the Dean of Students. Concurrently, after an initial investigation with the complainant, the Respondent will be given written notice that a complaint has been made against him or her, and given a copy of these Procedures. Confidential reporting is available online through the "Silent Witness" report on the Methodist University Public Safety webpage.
- b. Police investigation separate: A Complainant may make a report of sexual discrimination, including sexual violence, to the campus police or another law enforcement agency, to the Director of Human Resources, or both. The fact that a police investigation is ongoing does not relieve Methodist University of its obligation to investigate reports of sexual discrimination as provided herein. Furthermore, administrative hearings may proceed even if a criminal matter is pending. If campus police receives a report of sexual discrimination, campus police shall promptly notify the Director of Human Resources.
- c. Investigation: Upon receiving a complaint, the Dean of Students or designee shall fully investigate the facts alleged in the complaint. The Complainant may request to pursue student conduct proceedings, interim measures or both, however the final decision regarding how to proceed with the complaint will remain with the Dean of Students or designee and the Title IX Coordinator. If student conduct proceedings are not pursued and the Complainant desires to informally resolve the issue, a Title IX Investigation may still be completed. The Dean of Students or designee may at any time determine that a full investigation and/or conduct proceedings are required. The Complainant may also decide to change the process from an informal resolution to a formal investigation at any time. In cases where sexual violence is alleged, a full investigation will be required. A full investigation involves, at a minimum, an interview with the Complainant, an interview with the Respondent, and an interview with any witnesses to the conduct complained of. A Respondent shall not be required to be interviewed, and the Dean of Students will draw no negative inference from the Respondent's refusal to be interviewed. The interviews shall be recorded, and any relevant documents or other evidence gathered by the Dean of Students or designee will be preserved. All Title IX related investigations and complaints will be communicated to the Title IX Coordinator, who may at any time request additional information or investigations. The Dean of Students or designee shall make all reasonable efforts to conduct a full and fair investigation within thirty calendar days from receipt of a complaint. Throughout the process, every effort will be made to keep complainants and respondents separated and will not be allowed to cross-examine each other.
- d. Interim Measures: The University will not automatically restrict a student from attending classes or participating in other University activities on the basis of a complaint of sexual discrimination. However, Methodist University reserves the right to impose interim remedial measures at any time upon receiving a report of sexual discrimination, if the University has concerns about the safety of the Methodist community, including, without limitation, the Respondent. Such measures may include, but are not limited to, restrictions regarding movement on campus, removal from University housing and/or removal from campus. The decision to impose interim measures is made by the Dean of Students. The University will also enforce any court order. At the time of the initial meetings, students will be notified in writing of interim measures and sources of counseling and support.
- e. Retaliation prohibited: Retaliation against anyone who brings forward a complaint of sexual discrimination is strictly prohibited. Anyone

responsible for retaliation or threats of retaliation, whether that person is the accused party, someone affiliated with the accused (i.e. a friend or family member), or any other party, will be subject to disciplinary action by the University. Retaliation should be reported promptly to the Dean of Students. Retaliation by a person not affiliated with the University may be addressed by the police.

### 3. Adjudication:

- a. Dean of Student's Referral: Upon completion of his or her investigation the Dean of Students or designee shall:
    - i. If, in the interview with the Dean of Students or designee, the Respondent denied committing the conduct complained of or if the Respondent refused to be interviewed, the Dean of Students or designee shall refer the case to the Administrative Hearing Board.
    - ii. If, in the in the interview with the Dean of Students or designee, the Respondent admitted committing the conduct complained of, the Dean of Students or designee shall order an appropriate sanction, and shall consider a range of sanctions from no sanction to expulsion.
  - b. Administrative Hearing Board: The Hearing Board shall be made up of five members of the Methodist University community and shall be comprised of faculty and staff. Hearing Board members whose participation in the hearing may represent a conflict of interest will recuse themselves from the process, and a replacement member shall be appointed to the appropriate Hearing Board.. The Hearing Board shall convene within five calendar days of the Dean of Students or designee referring his or her report to its Chairperson. The proceedings of the Hearing Board shall be recorded or memorialized, and the recording or memorialization shall be preserved. Attorneys shall not be permitted at the proceedings, and the proceedings shall not be open to the public.
    - i. The Hearing Board shall consider the investigation of the Dean of Students or designee, including recorded interviews, documents, and other evidence, and the submissions of the Complainant and Respondent, if any. The Hearing Board will not draw an inference of responsibility from the Respondent's refusal to submit materials for its consideration or refusal to be interviewed by the Dean of Students. The Hearing Board may decide the case based solely on the record presented to it.
    - ii. If the Hearing Board believes further investigation is necessary, it may:
      - (1) Send a written request or email to the Dean of Students asking him or her to conduct further recorded interviews or attempt to obtain other evidence, which request the Dean of Students shall make every effort to comply with within five calendar days; and/or
      - (2) Recess and gather additional documents and evidence on its own, and then reconvene to consider it; and/or
      - (3) Recess to make arrangement to question witnesses, and reconvene to do so. Witnesses may be questioned, in-person or through other means, except that the Respondent may not be required to testify in front of the Hearing Board and no negative inference may be drawn by the Respondent's refusal to do so.
    - iii. When the Hearing Board has satisfied itself that it has fully considered the facts alleged in the complaint, it shall, by a simple majority vote, make a determination that more likely than not the Respondent committed sexual discrimination as defined herein, or more likely than not the Respondent did not commit sexual discrimination as defined herein. Evidence of past consensual sexual relationships or previous Title IX complaints will not be considered when making a determination regarding a current complaint.
    - iv. The Hearing Board shall promptly inform the Title IX Coordinator and Dean of Students or designee, in writing or by email, of its determination.
  - c. Sanctions: If the Hearing Board determines that the Respondent committed sexual discrimination as defined herein, the Hearing Board shall order an appropriate sanction, and shall consider a range of sanctions from no punishment to expulsion. The Dean of Students shall promptly inform the Respondent of the Hearing Board's determination and of the sanction imposed, if any, and shall promptly inform the Complainant of the Hearing Board's determination and of any sanction imposed which relates directly to the Complainant (e.g., a transfer of the Respondent to another residence hall or out of the Complainant's classes). Furthermore, as part of this process and within the broad authority granted to the Dean of Students or designee additional measures may be imposed on the Respondent and/or accommodations provided to the Complainant to meet the University's Title IX obligations. Decisions will be provided to the Complainant and Respondent verbally as well as in writing.
4. Appeal: The Complainant or Respondent may appeal the Hearing Board's determination, the sanction, or both within two business days of being informed of the Hearing Board's determination. Appeals must be in writing and are made and adjudicated by the Appeal Board pursuant to the procedures of that body. However, notwithstanding any provision of the Student Handbook to the contrary, when adjudicating an appeal of sexual discrimination, the Appeal Board shall simultaneously consider whether grounds for an appeal exist, and adjudicate the appeal. When so proceeding, the Appeal Board may consider only the record of the case, including any written submissions by the Complainant, and its proceedings are closed. Its proceedings, however, shall be recorded or memorialized and the recordings or memorialization preserved. The decision of the Appeal Board is final. When adjudicating cases of sexual discrimination, the Appeal Board may, in its sole discretion and if it deems doing so is necessary to prevent a manifest injustice, receive and consider new evidence not previously considered in a matter, if such new evidence was not available at an earlier stage of the investigation and adjudication. The Appeal Board shall make all reasonable efforts to render its decision within ten calendar days of receiving an appeal.
  5. Notice to Complainant: After the Appeal Board determines the appeal, or after the time for an appeal lapses if no appeal is filed, the Dean of Students or designee shall inform the Complainant that no appeal was filed, or if an appeal was filed, of the determination of the Appeal Board and of any sanction imposed which relates directly to the Complainant (e.g., a transfer of the Respondent to another residence hall or out of the Complainant's classes).
  6. Timeline and Communication: Only under extraordinary circumstances will resolution of complaints be finalized in more than 60 days. Otherwise, students should expect that cases will be concluded within the Federal recommendations of no more than 60 days. Timelines

apply equally to both the complainant and the respondent. Both parties will be given regular updates in writing until the process is complete.

#### **Telephone Long-Distance Codes**

Selected members of Methodist University's staff and faculty have been assigned telephone codes to be used to charge official long-distance phone calls. These codes can only be used for official business. Long-distance calls that are made using these codes are charged to Methodist University. Methodist University students are prohibited from using these codes for personal purposes or providing these codes to any other student. Students who are found responsible for the unauthorized use or disclosure of the University's long-distance phone codes will be required to reimburse the University for the cost of their calls and will receive a \$100 fine. Students may also be given a minimum of probation and may receive a maximum of expulsion from the University.

#### **Theft**

Any person found guilty of theft or possessing on campus property that he or she knows or should know is stolen will receive a minimum of probation and may receive a maximum of expulsion from the University.

#### **Traffic Violations**

Students who habitually violate vehicle and traffic regulations shall receive a minimum of paying all fines and probation and may receive a maximum of loss of vehicle privileges from the University. Violators of campus parking privileges who receive seven or more citations in one year will have their vehicles restricted from campus parking. The University reserves the right to lock the wheels of vehicles and tow vehicles at the owner's expense if restricted vehicles are found on campus.

#### **Vandalism**

Vandalism is defined as the destruction of another person's or the University's property. Any student who commits vandalism will owe full restitution and will receive in addition a minimum of probation, and a maximum of expulsion from the University. Removal from campus housing may also be a penalty for vandalism.

#### **Violation of Sanctions**

Any student who fails to fulfill the expectations or conditions of sanctions imposed by the Dean of Students, Student Community Court or the Review Board shall be given a minimum of suspension and may receive a maximum of expulsion from the University.

#### **Visitation Policy**

The residence halls are open for visitation from 9:00 a.m. to 1:00 a.m. Sunday through Thursday nights and 9:00 a.m. to 2:00 a.m. Friday and Saturday. Each residence hall has the right to set its own visitation times within these hours.

#### **Consequences of visitation violations**

**Failure to sign in/out a visitor \$25.00**

**Failure to escort his/her visitor or be escorted \$25.00**

**Late check-out or early check-in of a visitor (1-30 min) \$50.00**

Students who have more than two visitation fines during the academic year will face code of conduct action. Penalties range from a minimum of disciplinary probation to a maximum of removal from the residence halls.

#### **Weapons Policy**

A weapon is defined for the purposes of this policy as any item that can be used to intimidate, threaten or harm another person. A weapon may include, but is not limited to, firearms (to include firearm imitations), explosives of any size or type (to include fireworks), ammunition, air guns, explosive-like noisemakers, and knives of any type. Methodist University policy, state law, and federal law prohibit possession or use of any weapon on campus. The only exception to the possession of a knife is for students who live in apartment style residence hall rooms with kitchens. These students may possess commercially produced kitchen knives, but these knives must be maintained within the student's apartment at all times. If students are found in the possession of a kitchen knife outside of their residence hall apartment, they will be in violation of the University's weapon's policy. Possession is defined as having a weapon (see above) on the student's person, in the student's room, automobile, or any other property he or she owns or uses. Students who violate the weapons policy will receive a \$200 fine and in addition a minimum of probation and may receive a maximum of expulsion from the University. The possession of weapon may lead to other criminal charges by law enforcement personnel.