

Student Code of Conduct



STUDENT JUDICIAL AFFAIRS

CODE OF STUDENT CONDUCT

Authority for Student Discipline

1. Ultimate authority for student discipline is vested in the Board of Trustees of Lincoln University through the President.

Disciplinary authority may be delegated to University administrators, faculty members, committees, and organizations, as set forth in this Code, or in other appropriate policies, rules, or regulations adopted by the Board.

Student Participation

2. Students are asked to assume positions of responsibility in the University judicial system in order that they might contribute their skills and insights to the resolution of disciplinary cases. Final authority in disciplinary matters, however, is vested in the Board of Trustees and in the University administration.

Rationale

3. The primary purpose for the imposition of discipline in the University setting is to protect the campus community. Consistent with that purpose, reasonable efforts also will be made to foster the personal, educational, and social development of those students who are held accountable for violations of University regulations.

Definitions

4. When used in this Code:

- a. the term “aggravated violation” means a violation, which resulted or foreseeably could have resulted in significant damage to persons or property, or which otherwise posed a substantial threat to the stability and continuance of normal University or University-sponsored activities.
- b. the term “cheating” means intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise.
- c. the term “distribution” means any form of sale, exchange or transfer.
- d. the term “fabrication” means intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
- e. the term “facilitating academic dishonesty” means intentionally or knowingly helping or attempting to help another violate any provision of this Code.
- f. the term “group” means a number of persons who are associated with each other, but who have not complied with University requirements for registration as an organization.
- g. the terms “institution” and “University” mean Lincoln University and all of its undergraduate, graduate and professional schools, divisions, and programs.
- h. the term “organization” means a number of persons who have complied with University requirements for registration.

- i. the term “plagiarism” means intentionally or knowingly representing the words or ideas of another as one’s own in any academic exercise.
- j. the term “reckless” means conduct which one should reasonably be expected to know would create a substantial risk of harm to persons or property or which would otherwise be likely to result in interference with normal University or University-sponsored activities.
- k. the term “student” means any person for whom the institution maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974, and related regulations.
- l. the term “university premises” means buildings or grounds owned, leased, operated, controlled or supervised by the University.
- m. the term “university sponsored activity” means any activity on or off University premises that is specifically initiated or supervised by the University.
- n. the term “weapon” means any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, explosives, pellet guns, slingshots, martial arts devices, brass knuckles, knives, and chemicals such as “mace” or tear gas. A harmless instrument designed to look like a firearm, explosive or weapon that is used by a person to cause reasonable apprehension of harm or to assault another person is expressly included within the meaning of “weapon.”
- o. the terms “will” or “shall” are used in the imperative sense.

Interpretation of Regulations

- 5. The purpose of publishing disciplinary regulations is to give students general notice of prohibited behavior. This Code is not written with the specificity of a criminal statute.

Inherent Authority

- 6. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of persons, property or the campus community. Such action may include taking disciplinary action against those students whose behavior on or off University premises indicates that they pose a substantial danger to others. When the Vice President and Dean of Students believes this to be the case, students or student groups will be issued an interim suspension until circumstances warrant that it is okay for said individual (s) to return safely to campus.

Violations of Law and University Regulations

- 7. Students may be accountable to both criminal and civil authorities as well as to the University for acts that constitute violations of law and of this Code. Disciplinary action at the University normally will proceed during the pending of criminal proceedings, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

Interim Suspension

8. The Dean of Students & Campus Life or designee may suspend a student from the University for an interim period pending disciplinary or criminal proceedings, or medical evaluation. The interim suspension shall become immediately effective without prior notice whenever there is evidence that the continued presence of the student at the University poses a substantial and immediate threat to himself or herself, or to others.
9. A student suspended on an interim basis shall be given a prompt opportunity to appear personally before the Dean of Students & Campus Life or a designee in order to discuss the following issues only:
 - A. the reliability of the information concerning the student's conduct, including the matter of his or her identity; and
 - B. whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses a substantial and immediate threat to himself or herself, or to others.

Student Groups and Organizations **Student groups and organizations may be charged with violations of this Code.**

A student group or organization and its officers may be held responsible collectively and individually when violation of this Code by those associated with the group or organization have received

the consent or encouragement of the group or organization or of the group's or organization's leaders or officers.

The officers or leaders or any identifiable spokesperson for a student group or organization may be directed by the Dean of Students & Campus Life or a designee to take appropriate action designed to prevent or end violations of this Code by the group or organization. Failure to make reasonable efforts to comply with the Dean's directive shall be considered a violation of Part 11 (p) of this Code, both by the officers, leaders or spokespersons for the group or organization and by the group or organization itself.

Sanctions for group or organization misconduct may include revocation or denial of registration, as well as other appropriate sanctions, pursuant to Part 11 (n) of this Code.

Policy on Hazing

Lincoln University prohibits any student chartered organizations, fraternities, sororities, athletic teams, other recognized student organizations, persons or groups using University facilities, and individuals who are members of any such groups or organizations or who attend events or activities sponsored, organized or supported in any way by those organizations from hazing members, prospective members, or other persons seeking to obtain benefits for services from any of those organizations.

Hazing is any action or activity, whether conducted on or off University property, which is designed to, or has the reasonably foreseeable effect of humiliating, denigrating, offending, physically or mentally abusing, or exposing to

danger a person, as a condition, directly or indirectly, of the person's consideration for admission to, or continuation of membership in, participation in activities of, receipt of benefits or services from an organization or group. No person may consent to participation in hazing activities nor release a group or any of its members, officers, employees, agents, co-participants, parents, organizations, or insurers from liability for injuries or damages sustained as a result of participation in hazing activities. Furthermore, a person's consent shall not release or minimize an organization's or person's liability to discipline due to violation of this regulation.

Hazing activities include, but are not limited to the following: whipping, beating, paddling, branding, calisthenics, running, exposure to the elements, forced consumption of food, liquor, or drugs, (legal or illegal) or any other substances, sleep deprivation, forced exclusion from social contact, conduct which could result in any form of embarrassment, nudity, sexual harassment, kidnapping, or car drops.

Recognized student organizations have an obligation to protect the welfare of their prospective and initiated members, guests and the University during initiation activities. Every precaution must be taken to protect against University, individual and organizational liability.

Violation of this regulation shall subject a group or individual to the full range of disciplinary sanctions pursuant to University policies. The Pan-Hellenic Council, and other recognized student governance bodies with jurisdiction over recognized

student organizations may establish self-regulating procedures with respect to complaints of violations of this Regulation brought against their members. Such processes shall be independent of University disciplinary processes.

A recognized national/international fraternity or sorority must also comply, and its members must comply and adhere to regulations from their respective national/international organizations and the Pan-Hellenic Council. Each fraternity and sorority must submit its national/international organization's hazing policy to the Office of Student Life and Development.

This Hazing Regulation must be presented by all fraternities, sororities, athletic teams, and other recognized student organizations, to all members during each membership solicitation or acceptance period but not less than once each semester. The chief officer and the governing board of each such organization shall file with the Office of Student Affairs a form approved by the Office certifying compliance with this regulation. Failure to have been presented with the regulation or to file such certificate shall not release any group or individual from responsibility and/or disciplinary action under this regulation.

The organization's President and his/her Executive Board shall sign a Statement of Compliance each semester, in a form approved by the University certifying compliance with this Regulation.

Lincoln University, a community comprised of students, faculty, administrators and staff, recognized the need to establish a code of conduct that contains rules and regulations to guide student actions

and to define penalties that will be imposed when rules and regulations are violated. For the benefit of the community at large, these regulations limit certain behaviors and activities. They also protect the health and welfare, safety, rights, and property of the University and all members of the University community. Any student whose conduct is unsatisfactory as defined by the Student Code of Conduct will be subject to disciplinary action, up to and including possible suspension or expulsion. Further, any student accused of violating these rules is entitled to due process as explained under the “definition of terms” section of the Student Code of Conduct. No permanent or recorded penalty shall be meted out until the accused student has a fair chance to be heard. Appropriate appeals are allowed from the decisions of all persons, Boards or committees. All judicial findings are subject to review by the Vice President for Student Affairs and Enrollment Management or designee of Lincoln University. The Vice President or designee will have the authority to sustain, change, or reverse any findings.

All students, as well as faculty and staff members, are strongly urged to report any grievances involving students, to the Chair of the Judicial Board, the Dean of Students and Campus Life, and/or the Department of Public Safety and Security. All infractions as reported within individual incident reports will then be forwarded to the Dean of Students in order to establish a hearing date for the accused.

It is the policy of Lincoln University that sexual harassment and discrimination on the basis of gender will not be condoned. The University

is committed to providing an educational and working environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual’s sex, race, color, national origin, age, religion, disability, or any other legally protected characteristic will not be tolerated.

Policies governing standards for student behavior, referred to herein as the “Student Code of Conduct”, reinforces Lincoln University’s right and duty to adhere to disciplinary measures for the promotion of the safety and welfare of the University community. While the Code of Student Conduct does not include all of the activities that may adversely affect the University community, it does apply to the conduct of all students and student organizations while on the premises of the University and off campus as long as the student or groups maintain a student relationship with the University. University premises include all lands, buildings, and facilities owned, leased, or operated by the University. The University reserves the right to sanction currently enrolled students for violations of the Student Code of Conduct, even if said violations occur off campus.

The Vice President for Student Affairs and Enrollment Management or Dean of Students and Campus Life will administratively handle: (A) students who are not currently enrolled at the time of their alleged violation of the Code of Student Conduct or (B) students whose violations occur prior to the convening of the Judicial Board or

after the Judicial Board has recessed for the academic year.

All sanctions up to and including expulsion will be available during administrative conferences. During administrative conferences, students will be afforded the same due process and procedural protections as would be the case for a Judicial Board hearing.

Students at Lincoln University are expected to conform to regulations, federal and state laws, and city ordinances. Enrollment as a student in no way exempts any person from penalty of violations of local, state or federal laws. Students penalized for violation of public laws are not exempted from penalty by school authorities if violation of the public law is a violation of the Student Code of Conduct. The University's decision in disciplinary matters is independent of off-campus legal action, except that any student convicted of criminal misconduct, whether occurring on campus or not, is subject to suspension from the University.

No student will be permitted to graduate or officially withdraw from Lincoln University while disciplinary action is pending against him or her.

Lincoln University has an ongoing responsibility to maintain order on the campus. The entire campus community is expected to share this responsibility.

Information regarding any portion of the Student Code of Conduct can be obtained from the Office of Residence Life, Dean of Students and Campus Life, Student Government Association or the Vice President for Student Affairs and Enrollment Management.

THE STUDENT IS RESPONSIBLE FOR KNOWING AND UNDERSTANDING ALL RULES AND REGULATIONS CONTAINED IN THE STUDENT CODE OF CONDUCT.

Definition of Terms

Student

Any person for whom the University maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974, and is currently enrolled at the University having satisfied all registration and financial obligations for the current term.

Administrators, Faculty, Staff

Any persons employed by the University to execute the required day-to-day functions thereof in accordance with the University's and Board of Trustees' rules and regulations, as well as the laws of the Commonwealth of Pennsylvania.

Business Day

Standard working days of Monday through Friday.

Discipline

Action taken to correct unacceptable behavior in Lincoln University students is intended to be educative in nature. As such, it may be developmental or punitive, depending upon the nature of the infraction and the attitude of the individuals involved.

Preponderance of the Evidence

The evidence which, when fairly considered, produces the stronger impression, and has the greater weight, and is more convincing than evidence to the contrary.

Interim Suspension

The Vice President for Student Affairs and Enrollment Management or Dean of Students or designee may suspend a student from the University for an interim period pending disciplinary or criminal proceedings, or medical evaluation. The interim suspension shall become immediately effective without prior notice whenever there is evidence that the continued presence of the student at the University poses a substantial and immediate threat to himself or herself, or to others.

Due Process

The student has the right to know the charges brought against him or her, and the charges must be in writing. The student must be given adequate time to prepare a defense. The student has the right to defend himself against the charges before the appropriate authorities. The student has the right to bring statements or character witnesses to the defense hearing. The student has the right to request the replacement of any member of the hearing committee or board who they feel may be prejudiced against them. The student has the right to appeal infractions. The student has the right to remain silent. Hearings are not open to the public, and individuals conducting the hearing are prohibited from discussing the outcomes of the hearing. Due to the nature of certain cases and circumstances, the University's failure to follow these procedures to the letter does not automatically invalidate accused unless placed at a definitive disadvantage.

Since judicial hearings are administrative and not a court of law, students are prohibited from having attorneys present, except by special

permission, from the Vice President for Student Affairs and Enrollment Management or designee. Special permission will only be granted in cases where students will also face criminal charges. In such cases, legal counsel is not permitted to participate in the hearing process. When the student has been granted permission to have an attorney present, the University attorney is also present.

Hearings

A meeting between a student charged with some level of infraction of University rules and regulations and the Judicial Board who will hear the charges and decide upon or make recommendations for appropriate level of discipline.

Judicial Board

The Judicial Board is charged with trying all referred disciplinary cases that involve students.

Juridical Review Committee

The Juridical Review Committee oversees all academic integrity violations related to the faculty and classroom. Please contact the Vice President for Academic Affairs for further information.

Sanction

The penalty, fine, and/or punishment for violation of the Code of Student Conduct.

University Community

Any or all individuals working or residing on the Lincoln University campus, including the Graduate Center in Philadelphia.

Student Groups

1. Student groups and organizations may be charged with violations of the Code of Student Conduct.
2. A student group or organization and its officers may be held

responsible collectively and individually when violations of the Code of Students Conduct by those associated with the group or organization have received consent or encouragement of the group or organization or of the group's leaders or officers.

3. A formal judicial hearing, following the same procedures outlined for individuals, will be conducted when there are allegations of Code violations against a group or organization. This judicial process will also include an appeals component.
4. Sanctions for group or organization misconduct may include revocation or denial of registration, as well as other appropriate sanctions, pursuant to the Code of Student Conduct.

Standards of Classroom Behavior

The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in acts that result in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. The faculty member should, in the event such action is necessary, immediately report the incident to the chair of their department and the Dean of Students. Longer suspensions from class, or dismissal on disciplinary grounds must be preceded by a hearing or administrative conference as set forth in the Code of Student Conduct.

In cases where a student's continued presence in a class, following their initial removal, poses a substantial and immediate threat, the Vice President for Student Affairs and Enrollment Management or Dean of Students may suspend the student from attending the class on an interim

basis, pending their hearing or administrative conference.

(Cell phones are not to be used in the classroom during instructional time. Cell phones that ring and/or answered during classroom instruction are subject to confiscation by the Professor. Confiscated cell phones will be turned over to the Dean of Students.)

Inherent Authority

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include taking disciplinary action against those students whose behavior on or off University premises indicates that they pose a substantial danger to others.

Violations of Law and University Regulations

Students may be accountable to both criminal and civil authorities as well as to the University for acts that constitute violations of law and of this Code. Disciplinary action at the University normally will proceed during the pendency of criminal proceedings, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

Formation of the Judicial Board

The Student Government Association shall appoint five (5) students and one alternate; the Vice President for Academic Affairs shall appoint two faculty members and one alternate; the Vice President for Student Affairs and Enrollment Management shall appoint two (2) administrators, and one alternate. In addition, five members of the Judicial Board will constitute a quorum.

Disciplinary Hearing Procedures

All disciplinary action becomes effective upon the date of board action unless otherwise specified. Students dismissed by recommendation of the Judicial Board follow the same withdrawal procedure as other students. Any student who leaves or withdraws from the University and seeks readmission while disciplinary action is pending must secure a written clearance from the Vice President for Student Affairs and Enrollment Management or designee. The office of the Dean of Students will conduct the due process procedure for all accused students. The Dean of Students or alternate will serve as the Presiding Officer of the Judicial Board.

Judicial Board

- The Presiding Officer calls the session to order and asks each person in the room to introduce himself or herself and state his or her reason for being at the hearing (i.e., board, accused, observer). He or she questions respondent or respondents as follows:
 - (1) “Have you been advised of your due process rights in regard to this hearing?”
 - (2) “Do you object to any member of the committee?”
 - (3) “Are you aware that this session is being taped for accuracy?”
 - (4) “Have you been given a minimum of 72 hours to prepare for this case?”
- If a student responds negatively to questions 1 or 4, the chair instructs the student to leave the room so the board can decide if the case will continue based on student’s explanation.

- The Presiding Officer asks the accused if he or she challenges the objectivity of any member of the board. If so, the accused must state the reason(s). The board will meet in executive session to consider the challenge and determine whether or not the member should hear the case.
- The Presiding Officer reads the charges and specifications to the charge(s) from the incident report. The Presiding Officer asks for the respondent’s plea to each charge.
- The accused may give his or her explanation of the events surrounding the charges. The committee then may question the student. Each student should be given the opportunity to question the others involved in the case.
- Up to two witnesses may be heard, all other witnesses must submit their statements in writing. Both sides have, at this time, the right to cross-examine the witnesses and to examine any and all documents before being received into evidence. No member of the staff, faculty, or administration of Lincoln University may be called as an expert witness.
- The accused presents the facts and evidence that support his or her case.
- The student shall make a closing statement
- The board will make its deliberations in closed session.
- The board will then render its decision with the charges against the student established by a majority decision given a “preponderance of the evidence”.
- The student normally will receive the decision in writing within 72 hours (3 Business Days)

- A record of the proceeding will be kept for each case

Notification of Disciplinary Actions and Decisions

Appropriate University officials and campus departments shall be notified of penalties involving suspension or dismissal of the offender as well as to other persons who can provide counseling assistance to the offender. When in violation of the Student Code of Conduct the student should expect to be contacted by the Judicial Board regarding hearings. Every attempt will be made by the appropriate officials to promptly notify the student of a hearing regarding his/her alleged violation(s); however, inability to notify a student through reasonable means does not entitle the student to any further consideration in terms of postponing a hearing or adjudicating a case. While every effort will also be made to promptly notify those who participated in a judicial hearing of the decision, each student whose case has been adjudicated is expected to contact the Dean of Students within seventy-two (72) hours after the conclusion of the hearing to receive the decision in the case.

A student may be entitled to an appeal only if due process was not followed, pertinent evidence was not considered and judicial action inappropriate for the circumstances of the violation.

Note: Requests for consideration based on new evidence are not grounds for action by an appellate body, but should be directed to the judicial body of original jurisdiction. The judicial body of original jurisdiction will reopen a case at the

request of the accused only if significant new evidence not available for presentation at the original hearing is to be presented.

Whenever possible, the same judicial membership shall serve when a case is reopened.

Judicial Appeals Procedure

A student found guilty of a violation and who wishes to appeal the decision must do so in writing to the Vice President for Student Affairs and Enrollment

Management or designee within 24 hours or one (1) business day of the decision. An appeal request is reviewed based on two grounds: (1) Judicial Board failure to follow due process procedures which placed the accused at a disadvantage; or (2) Unreasonably harsh sanction based on the violation.

The Vice President for Student Affairs and Enrollment Management's decision is final. Students will not be permitted to remain on campus until the appeal is decided unless the Judicial Board sanction is less than suspension.

The sanction of suspension imposed by the judicial board becomes effective immediately.

The Board's failure to specifically follow outlined procedures and questions does not necessarily invalidate a hearing or sanction, unless it can be demonstrated that the accused was adversely affected by said omission. If the student fails to appear before the Judicial Board after proper notice has been given or attempted, a prima facie case will be presented and the Board will make its decision and impose sanctions accordingly.

Violations

Recorded violation(s) of the University's rules and regulations are subject to the following:

PROHIBITED CONDUCT

1. Violations resulting in the following penalties will remain in the student's file until graduation: Probation; Community Service; Research Assignment; Workshop; Educational project; Counseling; Mediation; Confiscation of Equipment; Loss of privilege; Restitution; Fines \$50 or more; One (1) week suspension from the University; Two (2) weeks suspension from the University
2. Violation(s) resulting in the following penalties will remain in the student's file permanently: Suspension from the University for one (1) semester or more; Expulsion.
3. In accordance with the Amendments to the Higher Education Act of 2000, the University reserves the right to notify parents of pending judicial action on cases where drugs or alcohol was used or possessed.

Prior offenses are cumulative and may subject the student to more severe penalties for subsequent offenses. The student does not begin each semester term or school year with a "clean" record.

1.00 Aiding and Abetting

Aiding, abetting, persuading, and/or procuring another person or persons to commit any act of misconduct in the University community or environment; the persuading or aiding of another person to breach the peace on University premises or at functions

sponsored, approved by, or participated in by any member of the University. Gatherings or groups of students on or off of the premises in such a matter which causes damage to public or private property, causes injury to persons, or interferes with the orderly functioning of the University or with the normal flow of traffic or ordinary procedures.

Alcoholic Beverages

Quantity - Students 21 years of age or older are limited to a maximum of 40 ounces of any kind of alcoholic beverage per person/per room. This only applies to those living in the alcohol permitted floors. Kegs of alcohol are not permitted under any circumstances. Open containers of alcohol are not permitted outside the room.

Alcoholic Beverages Violations

- 1.01 It is a summary offense for a person under the age of 21 to purchase or attempt to purchase, consume, possess, or transport any alcoholic beverages. It is also a violation for those 21 and older to possess / consume in any building except the alcohol permitted floors.
- 1.02 It is unlawful to sell or give alcoholic beverages to any minor (under 21 years of age).
- 1.03 Sale of alcoholic beverages on University's property is prohibited.
- 1.04 The use, consumption, possession, purchase, sale, and/or distribution of alcoholic beverages on University property, in cars or other vehicles, or at any of the University's activities (whether on or off-campus) are prohibited. (See Alcoholic Beverages Quantity Statement.)

1.05 Appearing in public on the University's premises while intoxicated or under the influence of alcohol or illicit drugs, is strictly prohibited. Any disorderly conduct regardless of whether such conduct results in injury to persons or damage to property will result in disciplinary matters against the student.

1.06 Animals (pet)

Possession of pets or other animals (dogs, cats, snakes, birds, hamsters, etc.), with the exception of seeing-eye dogs, when accompanied by their owner, is prohibited.

1.07 Arson/Fire Setting

The malicious, fraudulent, and/or intentional burning of property on the University premises. Such acts include, but are not limited to, creating fires, setting a personal fire, open flames, and or/igniting flammable materials.

1.07a Willfully starting a fire in University buildings or on University property, which includes but is not limited to, bonfires and cookouts, without the proper authorization of the Executive Director of Campus Life and/or in compliance with local and state fire codes are prohibited.

1.08 Assault

The intentional harassment, degradation, threat or intimidation of another in an attempt to commit a battery, or the intentional placement of another in reasonable apprehension of receiving a batter. This includes engaging in, attempting or intending to engage in any form of verbal or mental abuse, coercion which is directed toward another person or group of people

which creates an intimidating, fearful or offensive environment in the classrooms, offices, residence halls and the University premises, in general. Physical contact is not required.

1.09 Battery

The intentional use of force or violence directed upon another. Violence, involving physical abuse or contact which includes, but is not limited to the intentional administration of a poison or other noxious substance, slapping, pushing, and or contact using a weapon of any sort for the purpose of physical abuse, or violence involving physical contact. Physical contact is required.

1.10 Concealing Identity

If a student is found and identified when wearing a mask of any kind (including hooded sweatshirts, jackets, etc.) while committing an act of vandalism, robbery, assault, theft, battery or any crime characteristic of unsafe or inappropriate behaviors. The student will be subject to disciplinary action or immediate suspension.

1.11 Contempt of Hearing

Failure to appear before a judicial body after receiving the proper notification of a scheduled disciplinary hearing. Willful disobedience to, or displaying open disrespect for a University judicial board member such as the use of profanity, threatening behavior, or derogatory remarks, comments, and/or gestures. Failure to comply with disciplinary conditions as sanctions imposed by a judicial body.

1.12 Dangerous, Threatening, and/or Unsafe Behavior

Any conduct or behavior is prohibited which threatens or endangers the health or safety of any person in the University environment. This includes, but is not limited to, verbal threats to injure or harm another, horse playing, practical jokes, abductions, and kidnapping.

1.13 Drugs

The possession, use, sale or manufacturing of marijuana or drugs such as barbiturates, amphetamines, narcotics, hallucinogens, or other addictive substances, which are illegal according to federal and/or state law, is prohibited on the campus of the University and at any University related or sponsored activity held off-campus. A student shall also refrain from buying, selling, possessing, or using any kind of drug paraphernalia. A criminal conviction for violation of federal and/or state law governing the possession, use, or sale of controlled substances by a University student constitutes a violation of this policy and will adversely affect a person's ability to apply for and be awarded Federal financial aid.

1.13a Hosts and guests, though they may not be the primary users, they are responsible for any drug-related activity in their rooms, will be subject to disciplinary action similar to the user(s).

1.14 Failure to Comply

Failure to adhere to the direction of University officials (including Resident Advisors) acting in the performance of their duties; failure to promptly identify oneself to University official

when requested; failure to comply with disciplinary sanctions.

1.15 Firearms, weapons, ammunition, and bomb threats

Weapons of any kind, including, but not limited to firearms (real or not), knives, bows, arrows, baseball bats, devices used for the practice of martial arts, ammunition and other dangerous weapons are not allowed on the Lincoln University campus at any time. Any individual found in possession of a handgun, pellet gun, BB gun, rifle, or ammunition, for the same will be subject to immediate suspension. This also applies to knives, box cutters and any apparatus with a blade, carried on one's person or otherwise concealed. Any symbolic gesture or item seen as symbolizing a weapon is a violation of this policy. An example of this would be a student posing with a weapon, real or not, in a photo. Or, the use of an item (such as a baseball bat) in an act where that item becomes a weapon.

1.16 Forgery, Dishonest

Forgery of names, signatures, documents (personal, public, and/or private) will not be tolerated. Forgery, deceptive acts, misrepresentation and/or dishonest acts include, but are not limited to materials, altercation, misuse of University documents, records, student identification cards, or documents and records belonging to another, cheating, plagiarism or other forms of academic dishonesty; tampering with the election of any University recognized student organization; misuse of elective or appointive office in a student

organization, its members, or the welfare of the University community. Lying knowingly or furnishing false information to the University or its officials is prohibited. Use of the University's name, image, or logo without proper authorization, or with intent to misrepresent or defraud.

1.17 Gambling

Any form of wagering for goods, services, or money is prohibited.

1.18 Hazing is strictly prohibited.

Any person or organization who, in the course of an individual's initiation or affiliation into an organization, intentionally or recklessly engages in conduct that creates a risk of physical injury to that individual or group of individuals.

1.18a The threat to inflict bodily harm to an individual as part of an initiation rite.

1.18b The forced consumption of alcohol or drugs as part of an initiation rite.

1.18c The forced participation in any kind of sexual activity as a condition for affiliation or as part of an initiation rite.

1.18d The prevention of individuals from participating in classroom activities or interacting with fellow students as part of any initiation rite.

1.18e Forced participation in any other activity that endangers the physical or mental health of an individual.

1.18f Illegal pledging or intake activities into any organization that is currently under suspension or otherwise not legally recognized by the University.

1.18g Illegal recruiting of any female in a court or auxiliary organization is prohibited.

1.18h Any inductee (pledgee) who willingly participates in any acts of hazing will also be in violation of the University's hazing policy, and subject to disciplinary proceedings.

1.19 Rape

Forcing or coercing another, regardless of sexual gender, personal affiliation, and/or affiliation with the University to engage in the act of sexual intercourse without that person's consent, or when the sexual intercourse is deemed without the person's consent because the person (victim) is incapable of understanding the nature of the act by reason of stupor or abnormal condition of the mind produced by an intoxicating or narcotic agent administered by the offender.

1.20 Residence Hall Violations

1.20a The University does not permit cohabitation.

1.20b Visitation after posted hours is prohibited.

1.20c Failure to sign in or sign out of the residence hall is prohibited.

1.20d Loud and disruptive noise of any kind during quiet hours is prohibited.

1.20e The University does not allow tampering with or breakage of telephones or computer equipment or removal of signs, posters, etc., belonging to the University.

1.20f Propping doors to residence hall, throwing objects from windows, failure to keep one's room in a condition which is safe and sanitary is prohibited.

1.20g Incense/Candles-The burning of incense and or candles in the

residence hall or residence hall rooms is prohibited.

1.20h Tampering with safety equipment is a serious violation of the Student Code of Conduct. Turning in a false fire or bomb alert, by any means including a telephone call or by a warning device, theft, removal of, or tampering with fire extinguishing or safety equipment, exit signs, smoke alarms and detectors, fire hoses, sprinkler systems, hoses, fire mischief, or violation of University guidelines regarding fire safety, or standard safety (e.g. failure to follow evacuation procedures or obstructing the evacuation of a building during a fire, fire drill, or any other type of emergency) is strictly prohibited.

1.20i Removal of University furniture from lounges, public areas, classrooms or dining hall without permission from a professional staff member is prohibited.

1.20j Students are responsible for the behavior of their guests whom they invite to the campus or permit to visit the residence hall. If a guest(s) is found to be in violation of the Student Code of Conduct while in the company of the student host or with the student host's knowledge, applicable charges will be brought against the guest, as well as against the student host or the host student organization.

1.20k *Students with children:*

Children can visit the campus, but are not permitted for overnight stays or living in the residence halls.

1.20l Selling Items

It is a violation to sell anything from your room, such as *food, beverages, cigars, clothing, etc.*

1.20m Unauthorized Party/Gathering

It is a violation to host or participate in an unauthorized party/gathering within the residence halls. Having six (6) or more individuals in a room at one time may constitute an unauthorized party/gathering. Gatherings with six or more individuals in a room at one time must be pre-approved by the Office of Residence Life.

1.20n Smoking

Smoking of any kind inside the residence halls is a violation.

1.21 Setting off Fire Alarms is not prohibited.

1.22 Sexual Assault

The forcing of, or attempting to force another person, regardless of sexual gender, personal affiliation, and/or affiliation with the University, to participate in sexual intercourse and/or other sexual activities against his/her will is prohibited. Such misconduct includes verbal coercion threats, and physical restraint and will not be tolerated.

1.23 Sexual Harassment

Regardless of sexual gender, personal affiliation, and/or affiliation with the University, sexual harassment is defined as unwelcome and unsolicited sexual advances, request for sexual favors or other verbal, visual or physical conduct or communication with sexual overtones that the victim deems offensive. Sexual harassment includes, but is not limited to, unsolicited, deliberate, or repeated sexual flirtations, advances or propositions; verbal abuse of a sexual nature; display of sexually suggestive pictures or objects; and/or offensive or abusive

physical contact of a sexual nature is strictly prohibited. Any complaint of this type of misconduct against a student should be directed to the Chair of the Judicial Board, the Dean of Students and Campus Life, or the Department of Public Safety. These Complaints will be investigated and handled in accordance with the Student Code of Conduct.

1.24 Solicitations

Unauthorized selling and promotion on campus or within University buildings is not permitted without permission of the Office of Student Life and Development. Use of any residence hall room or facility for the selling of anything (food, clothing, cigars, etc.) is prohibited.

1.25 Theft

Theft is defined as the wrongful taking of, or the attempt to take, money or property without the consent of the owner, regardless of where it occurred; stealing from another person, or the University; the taking of property belonging to another, with the intent of converting the property to one's personal use, the unauthorized use of another's credit card is prohibited.

1.26 Unauthorized parties in any campus facility is prohibited.

1.27 Vandalism

Damage, vandalism or destruction to property owned or leased by the University or personal property belonging to an individual is prohibited. This includes, but is not limited to, car vandalism, walking on roofs of a university building, defacing structures and facilities, littering, marking, painting,

spraying, fire alarms, fire extinguishes, exit signs, light fixtures, broken windows.

1.28 Disruptive Classroom Behavior

Any conduct or behavior that disrupts a faculty member while teaching is a violation. This includes, but is not limited to, talking in class, horse playing, joking, playing music, talking on cell phone, etc.

1.29 Unbecoming Behavior

Any conduct or behavior that is disrespectful, absurd and rude is a violation. This includes, but is not limited to, public obscenities, lewd gestures, etc.

1.30 Off-Campus Behavior

Any conduct or behavior that happens off-campus but threatens the integrity of the University is a violation. All violations that occur off campus may be adjudicated as violations against our Code of Student Conduct. This includes, but is not limited to, thefts, assaults, dishonesty, drugs and alcohol use that occurs off-campus.

1.31 Guest Responsibility

Students are responsible for the actions of their guests. If a guest of a student violates a policy, the student hosting will be held responsible and will be subject to disciplinary action in accordance with the Code of Student Conduct.

1.32 Excessive use of Inappropriate Language (Profanity) is a violation of our Code of Student Conduct. This also includes using vulgar gestures and any other behavior that is not conducive of being a Lincoln University student.

Judicial Sanctions

If a student chooses as an option not to file an appeal, the decision of the Judicial Board becomes final. Additionally, if a student does not file for an appeal within the specified time allowed, then the decision of the Judicial Board stands full. Therefore, it is imperative that the student abides by the policies governing his/her sanction.

Probation

A specified amount of time involving restrictions, after which university authorities will determine if the student's behavior has improved; during this time frame, the student can receive additional disciplinary measures which may involve suspension, if he/she is involved in the violations of any type of the University Student Code of Conduct and/or the breaking of any laws. Note: Probationary status ranges from one semester through matriculation. A violation of a probationary status may result in the student being immediately suspended from the University.

DISCIPLINARY SANCTIONS COMMUNITY SERVICE PROGRAM

Students with judicial sanctions are often times required to complete community service. Community service is a disciplinary sanction, which requires a student to perform unpaid work or service either to the University community or for an approved non-profit organization. Students required to complete community service are expected to demonstrate their responsibility as a member of the university community by performing certain reasonable and relevant educational activities

designed to assist the student in learning from the experience that brought them before the judicial process. We believe that the educational activities and community service assignments we provide will help students meet that goal.

The Disciplinary Sanction Community Service Program is administered by the Office of Student Services located in Lincoln Hall, Room 104. Students assigned community service must register into the program by scheduling an appointment with Director of Student Services no later than five (5) days after receipt of their official letter of notification. Once a student has registered, he/she will be provided with instructions of their mandated community service activities and educational assignment. Community service program reflection meetings sponsored by the Office of Student Services are held monthly and attendance is mandatory until community service hours are completed.

Students with alcohol violations or drug violations are required to enroll in and complete the following online courses: 1) Under the Influence course (\$30/3 hours); 2) Marijuana 101 course (\$30/3 hours).

Failure to complete the mandated community service hours and activities by the time prescribed will result in notification and referral to the Dean of Students and Campus Life, suspension from the university, or additional disciplinary sanctions.

Research Assignments

Based on the nature of the offense, students may be required to complete a research assignment on a topic

related to the offense committed. The research assignment must be typed and completed by the deadline specified, must be thorough, comprehensive, and scholarly. The complete project must also conform to other specifications given by the judicial body. Note: Failure to comply with the terms of the judicial administrator will result in temporary suspension from the University until all matters are rectified between the student and the appropriate official.

Workshop Participation

In some instances, students may be required to assist in developing, coordinating, and evaluating special workshops related to the nature of the offense which the student has committed. Students may also be required to participate in special workshops to enhance their own knowledge and understanding of a particular topic related to the offense committed. Note: Failure to comply with this sanction will result in suspension from the University.

Mediation

A sanction in which two or more individuals involved in serious or potentially serious conflict agree to discuss their differences with a third party who is trained in conflict resolution. The conflicting parties must agree in writing to abide by the decision jointly agreed upon by all parties involved.

Counseling

Mandatory counseling with a member of the Counseling Services staff or any available counseling resource available to the campus community.

Confiscation of Equipment

The surrender of radios, stereo equipment, musical instruments, etc.,

for not less than 30 days, as a result of violation of residence hall noise level infractions.

Loss of Privileges

A student who receives this sanction shall be notified in writing as to the privileges which he/she has lost. The privileges may consist of removal of housing. This written notification shall indicate the time period for which the student has lost certain activities.

Restitution

The requirement to reimburse or otherwise “make good” for damage to equipment, theft of property, or harm or offense to the residence hall or campus community.

Fine

The payment of a specified amount of money payable to the University for violations of the Student Code of Conduct. Note: A disciplinary fine may range from \$50 or more depending upon the severity of the offense(s).

Suspension

To bar for a period of time from the University or University’s sponsored activities. Violation of the Student Code of Conduct or violation of a present probationary status or sanction may result in suspension. Students suspended from the University are required to return their student identification card, mailbox key, entrance key and room key and may not return to campus for the duration of their suspension, except to conduct official business with an administrative officer or faculty member, and then only with prior permission of the Vice President for Student Affairs and Enrollment Management or designee. If a student returns to campus without permission

during the period of suspension, his or her eligibility to return to Lincoln University will be threatened and he/she will be subject to arrest. During the period of suspension, the student is not eligible or entitled to receive any University services.

Following the suspension period, the student must request to be readmitted to the University after fully serving the suspension. Suspension period begins with an existing semester and continues throughout that particular semester, however, suspension may become in effect at the beginning of a specified semester (usually the following semester) and continues throughout the semester.

- a. One (1) week suspension from the University
- b. Two (2) week suspension from the University
- c. Suspension from the University for one (1) semester
- d. Suspension from the University for one (1) year
- e. Suspension from the University for more than one (1) year.

Expulsion

Permanent separation from the University and loss of all privileges to use the services of the University in any way. This is the most severe form of sanction and is reserved for the most severe infractions or for those individuals who repeatedly violate University's rules and regulations or for aggravated offenses. When a student is expelled, his or her enrollment is immediately canceled, and they are unable to graduate from Lincoln University. If a recommendation of expulsion is made, the student must immediately

leave the University after appeals are exhausted.

All sanctions given to students who have been found guilty of offenses are based solely on individual circumstances, except for organizational infractions. It is the decision of the Judicial Board to determine the appropriate sanction issued to each student.

Student Academic Grievance Procedure

Whenever a student has a grievance/complaint regarding a matter related to academic affairs at Lincoln University, the following procedures shall apply when a student believes that a faculty member has infringed upon the student's academic rights as set forth in this policy. In cases in which the student is challenging an instructor's conduct of the course, classroom management style, or assignment of a grade received in connection with a course, the student shall follow the grade appeal procedure applicable to the school or college in which the course is offered.

The student shall first attempt resolution by seeking an appointment with the instructor in question. If, to the student, this does not seem a feasible course, or if a personal conversation with the instructor has been attempted, but a resolution satisfactory to the student's grievance is not obtained, the student may seek resolution through a written appeal to the instructor's Department Chair, who will attempt to resolve the matter between the student and the instructor. If the grievance or complaint is against the

Department Chair, then proceed to number 3 below.

If a resolution satisfactory to the student is not obtained through appeal to the Department Chair, the student may seek resolution through a written appeal to the School Dean.

The Dean (or the Dean's designee) may attempt informal resolution through discussion with the student and faculty member. The Dean will consider the student's appeal and issue a written decision and remedy. Appropriate precautions should be taken to safeguard the confidentiality of the grievance proceedings, including information about the outcome.

Either party to a grievance appeal (whether instructor or student) may appeal the decision of the Dean to the Vice President for Academic Affairs, in writing, within ten (10) days following notice of the Dean's decision. A written reply by the other party must be filed within ten (10) days after receipt of the appeal. The Dean's decision shall be stayed pending appeal. The Vice President for Academic Affairs has discretion to determine the information and procedure that he/she will utilize in deciding each appeal. The decision of the Vice President for Academic Affairs (in writing) shall be final.

Record-keeping and Reporting

The Vice Presidents for Academic Affairs shall ensure that mechanisms and procedures are in place for maintenance of all confidential records pertaining to all grievances brought pursuant to

this policy. In addition, all relevant officers in the grievance process shall provide a report on all grievances pursuant to this policy each semester to the Chairperson of the Academic Affairs Committees of the Board of Trustees, and establish a mechanism for annual reviews of this policy and its effectiveness by appropriate University officials and the Board of Trustees.

Student Non-Academic Grievance Procedure

Whenever a student has a grievance /complaint regarding a matter not related to academic affairs at Lincoln University, the following procedures shall apply when a student believes that a staff member has infringed upon the student's rights as set fourth in this policy.

The student shall first attempt resolution by seeking an appointment with the staff member in question. If, to the student, this does not seem a feasible course, or if a personal conversation with the staff member has been attempted, but a resolution satisfactory to the student's grievance is not obtained, the student may seek resolution through a written appeal to the director of the office or department, who will attempt to resolve the matter between the student and the staff member. If the complaint/grievance is against the director, then the student will proceed to number 3 below.

If a resolution satisfactory to the student is not obtained through appeal to the department or office director, the student may seek

resolution through a written appeal to the Area Dean or Comptroller.

The Dean/Comptroller (or the Dean's/Comptroller's designee) may attempt informal resolution through discussion with the student and staff member or director. The Dean or Comptroller will consider the student's appeal and issue a written decision and remedy. Appropriate precautions should be taken to safeguard the confidentiality of the grievance proceedings, including information about the outcome.

Either party to a grievance appeal (whether staff member, director or student) may appeal the decision of the Dean or Comptroller to the Vice President for Student Affairs or Fiscal Affairs, respectively, in writing, within ten (10) days following notice of the Dean's or Comptroller's decision. A written reply by the other party must be filed within ten (10) days after receipt of the appeal. The Dean's or Comptroller's decision shall be stayed pending appeal. The Vice Presidents for Student Affairs and Fiscal Affairs have discretion to determine the information and procedure that he/she will utilize in deciding each appeal. The decision of the Vice President for Student Affairs or Fiscal Affairs (in writing) shall be final.

Record-keeping and Reporting

The Vice Presidents for Student Affairs and Fiscal Affairs shall ensure that mechanisms and procedures are in place for maintenance of all confidential records pertaining to all grievances

brought pursuant to this policy. In addition, all relevant officers in the grievance process shall provide a report on all grievances pursuant to this policy each semester to the Chairperson of the Student Affairs and Business Affairs Committees of the Board of Trustees, and establish a mechanism for annual reviews of this policy and its effectiveness by appropriate University officials and the Board of Trustees.