

## Message from the Vice President for the Student Experience

Dear Student:

It is a pleasure to welcome you to The University of Toledo! We are glad you are here. Whether you are entering college for the first time, transferring from a community college or returning after years of employment, we are pleased that you have chosen to continue your academic and personal development at the University of Toledo!

We are a community in which the uniqueness of each person is honored, diversity is pursued, and individuals are accepted for who they are. Our commitment to you as a student is not limited to the classroom. We pride ourselves as a “student-centered” University offering an impressive spectrum of student services and activities designed to enrich your university experience in and out of class.

This handbook describes policies, procedures, and support services that will assist you as a student at the University. I urge you to read the handbook carefully and frequently. You will find important information and be introduced to a wide range of useful services and programs. We want you to succeed, so do not hesitate to ask for help.

Best wishes for a great academic year!

Sincerely,

Kaye Patten Wallace

Vice President for the Student Experience

## Emergency Information

**On-campus emergency number .....2600**

**Off-campus emergency number .....911**

City of Toledo Police Department.....419.245.3340

Local Ambulance Service.....911

Fire Department .....911

Fire (non-emergency).....419.936.3550

The University of Toledo

Student Medical Center .....419.530.3451

The University of Toledo

Counseling Center . ..... 419.530.2426

Rescue Mental Health Center .....419.255.9585

St. Anne’s Hospital Emergency Room. 419.407.1444

Toledo Hospital Emergency Room .....419.291.4101

Poison Control ..... 1.800.222.1222

## Frequently Called Numbers

### *Extensions for 419.530*

Accessibility, Office of.....4981

African-American Student Enrichment

Initiative Office.....7264

Alumni Relations.....2586

Apple Tree Nursery .....1070

Athletics.....4184

Bookstore, Bancroft Campus.....2516

Bursar/Student Accounts .....1026

Campus Police .....2600

Night Watch.....4292

Parking Enforcement .....4100

Career Services.....2454

Center for Women .....8570

Commuter and Off Campus Services .....8521

Counseling Center .....2426

Dean of Students, Office of .....2256

Dining Services .....2316

EIT Service Request Line.....	3644
Financial Aid .....	8700
Graduation Information .....	4824
ID Center Bancroft Campus .....	7829
ID Center Scott Park.....	3367
Information, Campus.....	4636
Interfaith Center.....	419.536.6308
Latino Initiatives, Office of .....	2992
Law School.....	2882
Learning Assistance Center .....	3105
Legal Services, Student .....	7230
Library, Carlson.....	2323
Multi-Cultural Student Services, Office of.....	2261
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## Student Directory

The Student Directory is a publication which contains the following information:

Name, addresses and telephone numbers of enrolled students; Locations and phone numbers of University Offices; Maps of The University of Toledo, the campuses and the City of Toledo; Academic Calendars; Exam and Bus Schedules; Yellow pages; Faculty/Staff Directory and much more.

The directory is published during the fall semester of each year. It is free to any student with a University of Toledo Student ID. Each enrolled student’s name will automatically appear in the directory unless he or she notifies the Registrar’s Office not to release their information. Students may prohibit the release of this information by logging onto Web for Students at <http://stuweb1.utoledo.edu> and selecting “Personal Information”, then View/Update Directory Information Release; in person in the Registrar’s Office; or in writing. To insure that the directory is accurate, when students move, they are encouraged to change their address on Web for Students by selecting “Personal Information”, then View/Update Addresses. They may also submit a change address from to the Registrar’s Office, Rocket Hall, Room 1100.

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*This catalog is published for informational purposes only. The information contained herein reflects the rules, policies, and services of The University of Toledo at the time of publication. While every effort is made to provide accurate and current information, The University of Toledo reserves the right to modify rules, policies, services, and any other matter without notice. It is the responsibility of students to follow up on any questions or concerns they might encounter. Our Website is [www.student-services.utoledo.edu/deanofstudents/studentconduct/studenthandbook.pdf](http://www.student-services.utoledo.edu/deanofstudents/studentconduct/studenthandbook.pdf)*

## Traditions

### School Colors

Midnight Blue and Gold were selected as the school’s official colors by the Varsity ‘T’ club, at its organizational meeting on December 1, 1919. Ten of the 14 football lettermen met to form the club and chose Ed Stader as the first president.

### Nickname Origin

When The University of Toledo played then powerful Carnegie Tech in football in 1923, Pittsburgh sports writers were surprised to learn that UT did not have a nickname. Though an underdog, Toledo fought formidably; recovering a series of embarrassing fumbles by favored Tech. Pittsburgh writers pressed James Neal, a UT student working in the press box, to come up with a nickname. Despite UT’s 32-12 loss, the student labeled the team “Skyrockets,” obviously impressed by his alma mater’s flashy performance against a superior team. The sportswriters shortened the name to “Rockets,” which has been used since. Many suggestions for UT’s nickname have been considered through the years, including a Spanish theme of Toreadors or Bulls, in honor of Toledo’s sister relationship with the city’s namesake in Spain. Others included Commodores, Turtles, Bancroft Highwaymen and Jeeps. The nameless team was referred to as the Blue and Gold, Munies (for municipal university) and Dwyer’s Boys (after head football coach James Dwyer) in sports stories prior to 1923. In 1961, the University of Toledo procured a genuine rocket from the U.S. Army missile program. The one ton rocket, which sits outside the Glass Bowl, carries two sets of fins and a propellant booster capable of guiding the missile to supersonic velocity. It was donated, in part, because of the university’s affiliation with the Ordnance Corps of the U.S. Department of Army.

### Fight Song and Alma Mater

The Fight Song Origin” U of Toledo” was written in 1932 by Dave Connelly, UT athletic director and baseball coach through much of the 1930s and 1940s. Connelly also coached football, track and boxing. He joined the UT staff as a professor in 1926, where he remained until his death in 1955. Connelly loved to sing, but had never studied music. Apparently, previous fight songs were no longer in use, so he wrote the words for “*U of Toledo*” and sang the melody to a family friend, Bernie Jones. Jones played it on the piano and put it to music. The tune remained largely unchanged until 1975, when UT associate professor of music David Jex arranged the current version.

#### “U of Toledo”

**U of Toledo, we’ll fight for you**

**(Fight! Fight! Fight!)**

**U of Toledo, we love the Gold and Blue**

**(Let's go Blue!)**

**Men of the Varsity, the enemy must yield,  
We'll fight just like our ancestors  
and march right down the field!**

**T-O-L-E-D-O, Toledo!**

"Fair Toledo" was selected from eight entries which were submitted in the UT Alma Mater Song Contest, sponsored jointly by the Student Senate and the Alumni Association in 1959. The competition was held to replace "Golden and Blue," set to "Amici," a tune used by various universities. While driving to work, Gilbert Mohr heard Jim Uebelhart announce the contest on the radio in January of that year. An amateur songwriter, Mohr began humming different tunes, and later with his wife, Jean Strout, wrote the lyrics. Their alma mater entry won the contest and the couple received a \$100 government bond. "Fair Toledo" debuted at halftime of the Marshall-Toledo basketball game on March 2, 1959.

**"Fair Toledo"**

**In tower shadows voices now raising,  
To alma mater Golden and Blue,  
Fair Toledo praise to thee,  
Portal of learning ever be,  
Hallowed halls we shall revere,  
Vow to keep thy memory dear.**

## **The University of Toledo Division of Student Affairs Offices and Services**

Office of the Dean of Students

Student Union, Suite 2509, Phone: 419.530.2256

Promote students involvement in campus life through the oversight of the following services:

- Office of Student Conduct
- Office of Student Involvement
- Student Organizations/Activities
- Greek Life
- Commuter/Off Campus Services
- Office of Recreation
- Office of Multicultural Student Services
  - o African American Initiatives
  - o Latino Initiatives
  - o LGBT Initiatives
- Student Unions
- Advisement of Student Government

### **Office of Student Involvement**

*Student Union, Rm. 3504, Phone: 419.530.7221*

Plans and coordinates major programs and events on campus including First Week UT, Homecoming, and Parents & Family Weekend, while serving as a resource and point of contact for other programs, including:

- Leadership UT scholarship program
- First Read Program
- Commuter & Off Campus Services

### **Greek Life**

Provide support and services to the fraternity and sorority community in the development and improvement of leadership, scholarship, service to campus and community, and positive brotherhood and sisterhood relationships.

- Advise all Greek boards and honorariums including Inter Fraternity Council (IFC),

Panhellenic Council (Panhel or NPC), National Pan-Hellenic Council (NPHC), Greek Independent Board (GIB), Order of Omega, and Gamma Sigma Alpha, and all 33 fraternity and sorority chapters on campus.

- Host various workshops, retreats, programs and training on Greek life issues and leadership
- Year round support to recruitment efforts
- Coordinate Annual Evaluation Program and compile all related data posted on Greek Life

### **Student Union and Student Center**

The Student Unions enhance the academic mission of the University by engaging students in educational experiences beyond the classroom and by linking them to a range of activities and out-of-class programs, learning experiences and opportunities for intellectual growth, to demonstrate ethical values, leadership, social, cultural and physical skill development.

*Student Union Administrative Office, Suite SU2525*

*Bancroft Campus,*

*Scott Park Student Center Office, Suite SS1450*

*Scott Park Campus*

*Phone: 419.530.2931 or the [Student Union Webpage](#)*

- Facilities and program support for student organizations and the greater University community
- Student organization office space for over 40 student organizations and a number of Student Affairs offices
- Full-service dining in the Phoenicia Cuisine restaurant with a variety of additional dining options in the food court, the South cafeteria, Rocky's Grill and Starbuck's
- The availability of meeting facilities that can be scheduled in the SU Office to accommodate groups from 10 to 1,500 people
- The University Bookstore and personal banking/ATM services through Huntington Bank
- A number of student employment opportunities in a variety of areas of responsibility
- Photocopies, color printing, thesis binding services and balloon decorations through Rocket Copy
- A TV Viewing Lounge & lounge facilities throughout the Student Union available to anyone while the Student Union is open

### **Career Services**

Student Union, Rm. 1532, Phone: 419.530.4341

Services to assist students and alumni with academic and career decisions and job search strategies

- Individual career counseling
- Workshops and panel discussions on choosing a major, resume and cover letter writing, interviewing and salary negotiation
- Job and Career Information Fairs with local, regional and national organizations
- On-campus interviews
- Online job postings for part-time, internship, and full-time positions
- Job Location and Development program
- Career Information Library

### **Student Medical Center-Main Campus Medical Center**

***South of the Law School, West Rocket Dr.***

**Phone: 419.530.3451**

Primary and Urgent Care; Promotes wellness and personal well-being

- Medical illness and injury diagnosis, education, and treatment
- Pharmacy, laboratory, women's health, mental health services
- Allergy shots, immunizations, and confidential HIV/AIDS testing
- Student health insurance

## **The University Counseling Center**

Counseling Center location: Rocket Hall, Room 1810

Phone: 419.530.2426

Counseling is appropriate for anyone who is troubled by a specific problem or has a general concern

- Students seek counseling for personal growth, increased self-awareness, depression, anxiety, stress management, family and interpersonal issues, as well as for acute problems and crises
- Referrals for psychiatric consultation and/or evaluation are available through the counseling staff
- Outreach programs and consultation are available for campus organizations, residence life, faculty, and classes
- Visit our Website at [www.utoledo.edu/studentaffairs/counseling](http://www.utoledo.edu/studentaffairs/counseling)

## **Catharine S. Eberly Center for Women**

Tucker Hall Rm. 0168, Phone: 419.530.8570

Offers services to women students, faculty, staff, and the UT community and supports women in their efforts to achieve their highest potential through the pursuit of higher education.

- Brown bag series
- Classes and workshops, including the Women's Success Series
- Support groups for women
- WISE mentor program
- Computer lab and resource room
- A quiet room for studying, meditation and breastfeeding
- Six academic scholarships
- Art exhibitions and receptions
- Volunteer opportunities

## **The Office of Accessibility (Main Campus)**

**Rocket Hall Suite 1820 Phone: 419.530.4981**

<http://www.utoledo.edu/utlc/accessibility/>

Services are provided to students with disabilities who meet eligibility criteria and include:

Adaptive technology, advocacy, assistive listening devices, Braille, captioning, e-text, enlarged materials, exam accommodations, lab assistance, note-taking, para-transit, priority registration, readers, research assistants, speech-to-text transcription, scribes, and sign language interpreters.

Students seeking accommodations/disability services on the Health Science Campus should contact the Academic Enrichment Center at Phone: 419.383.4274 <http://www.utoledo.edu/med/depts/aec/>

## **The Office of Multicultural Student Services**

*Student Union, Suite 2500, Phone: 419.530.2661, Website: <http://www.utoledo.edu/studentaffairs/omss/index.html>*

The mission of the Office of Multicultural Student Services is to create a campus environment for students of various cultures and diverse backgrounds that is conducive to learning by providing programs and services that meet their needs.

Through its programs and services, the Office of Multicultural Student Services strives to enhance the recruitment and retention efforts of the Division of Student Affairs and explore the indigenous roots of African American, Asian American, Latino American, Native American, LGBTQ, and International students.

While it is the mission of the Office of Multicultural Student Services to specifically address the needs of these undergraduate students, programs and services are intended for the benefit of all the University community in an effort to foster understanding, acceptance, and cross cultural communication.

### **The Office of Recreation**

*Student Recreation Center, Rm. 2105, Website: <http://www.utoledo.edu/studentaffairs/rec/>*

*Phone: 419.530.3700*

Services:

- Walk-in informal recreation—do your own thing on your own schedule
- Intramural-competitive teams and individual opportunities between students, faculty and staff
- Sport Clubs—Non-intercollegiate competitive opportunities with other college, university and open division teams in a variety of team and individual activities
- Fitness and Noncredit Instructional

Programs—clinics, classes, advising, monitoring, and lifetime activities (examples: aerobics, Rocket Waves, step aerobics, kick boxing, group cycling, yoga, meditation, karate, Tai Chi, golf, self defense, first aid, CPR, and more!

- Swim School—learn how to swim, be a lifeguard or a water safety instructor
- Rocket Challenge—organized, facilitated leadership development activities
- Climbing Wall—informal climbing time, climbing clinics, and classes
- Kids Summer Leisure Campus—ages 6-12
- S.W.A.T.-(Student Wellness-Awareness Team) peer educators
- Life @ College.utoledo—freshman year issues of health and well being
- Learning experiences—developing students is our “bag”
- Student jobs in a variety of program areas— pay, fun, experience, and a network of friends
- Shared/Exclusive Rentals

### **The Office of Residence Life**

Ottawa House West, Phone: 419.530.2941

[www.residencelife.utoledo.edu](http://www.residencelife.utoledo.edu)

The mission of The University of Toledo Division of Student Affairs Office of Residence Life is to foster academic and social success for our residents by providing a safe community, excellent housing facilities, education, and a culture of respect and the formation of lifelong relationships.

Services Offered:

- Assignment to on-campus University housing
- A variety of living spaces

- 24 hour live in professional and paraprofessional staff
- Summer conference programs
- Living Learning Communities and Faculty in Residence
- Leadership Opportunities through Resident Student Association, National Residence Hall Honorary, Hall Councils and Staff Positions
- Summer School Housing
- 24 hour staff Information Desks
- Social and Educational programs
- Community Service Projects
- Recreational and Exercise Equipment in hall

## **Alcohol, Tobacco and Other Drug Prevention**

**Ottawa West, 1005**

**419.530.8436**

**alexis.blavos@utoledo.edu**

**<http://www.utoledo.edu/studentaffairs/reslife/ATODPC/Tobacco%20Prevention%20and%20Education.html>**

The mission of the department of Alcohol, Tobacco and Other Drug Prevention is to reduce substance abuse among University of Toledo students through the creation of an environment which fosters student wellness and academic success by coordinating multidisciplinary prevention and treatment efforts. All services are available to residential students and commuter students as well as staff or faculty.

- Provides a variety of educational and safety programs about alcohol, tobacco and other drugs
- Promotion of a healthy environment for all students through policy creation and implementation
- Serves as a campus resource for current factual information about Alcohol, Tobacco and Other Drugs

## **The University of Toledo Police Department (UTPD)**

The University of Toledo Police Department

(UTPD) provides 24-hour patrols of all University residence halls, academic buildings, on-campus Greek housing, grounds, and parking lots by foot, mountain bike, and vehicle patrol. Located in the Transportation Center (just inside the south entrance to the Bancroft Campus) the department employs 33 full-time officers commissioned by the state of Ohio. All officers have full enforcement authority and responsibilities same as that of local police and sheriff departments.

### **Services and Programs**

The UT Police Department offers a wide-range of services and programs, including:

- Fingerprinting job applicants
- Providing escorts from one building to another at night
- Serving as the campus-wide repository of lost and found items
- Providing motorist assistance for people with dead batteries, flat tires, or who have locked their keys in their car
- Various crime prevention programs, including a Rape Aggression Defense (RAD) program

### **Mission Statement**

The University of Toledo Police Department is dedicated to providing excellence in service to the campus community. We shall strive to insure a safe, secure and pleasant atmosphere, conducive to a positive social and educational process, in our law enforcement efforts to protect the University community.

## **Policing Philosophy**

### **Seven Core Elements**

1. Develop a true police community partnership.
2. Practice an open police management style.
3. Establish a problem solving orientation.
4. Facilitate citizen involvement.
5. Promote permanent ownership of patrol areas.
6. Prepare police officers to serve as community leaders and resource organizers.
7. Maintain a personal relationship between police officers and members of the campus community.

**Our continuing goal: To improve the quality of life on campus.**

## **Bureaus and Offices**

The University of Toledo Police Department is comprised of the following bureaus and offices:

- **Field Operations Bureau** — responsible for the uniform patrol of the campus. Officers are deployed in vehicles, on foot, and on mountain bike. This bureau is also responsible for the Campus Assistance Specialists and the 618 Team Policing Unit.

- **Auxiliary and Event Management**

**Bureau** — coordinates security for all special events such as dances, concerts, and sporting events.

- **Community Affairs Office** — responsible for the Escort Service (Night Watch), and the department's special crime prevention programs, including the RAD self-defense program and one-on-one presentations.

- **Criminal Investigations Bureau** — conducts investigations into crimes against persons and property, offers a fingerprinting service for people requiring background checks, and also manages the Police Records Office. During the hiring process, this bureau conducts background investigations on all police officer applicants.

- **Parking Enforcement Office** — oversees Rocket Patrol and is responsible for following up on all UT parking citations

- **Police Communications Center** — the central hub of all police communications on campus, the office also is the central monitoring station of the CCTV network and all campus burglar and fire alarms.

- **Special Operations Bureau** — consists of the department's K-9 unit.

- **Support Services Office** — manages the department's budget, including all purchases and bill payments, as well as all grant applications. Also responsible for the UTPD's presence on the internet.

## **Partners in Policing**

The UTPD has a close working relationship with local, and federal law enforcement agencies.

Our officers are deputized officers of Lucas County.

We have mutual aid agreements with the Toledo Police Department (TPD), the nearby village of Ottawa Hills and the Lucas County Sheriff's Office. Information concerning crime, summaries, trends and other analyses is shared with these agencies as well as others in Northwest Ohio on an ongoing basis.

## **Training Standards**

UT police officers have met or exceeded the training standards of the Ohio Peace Officers Training Council. They also receive ongoing in-service and specialized training in first aid, CPR, firearms, defensive tactics, nonviolent crisis intervention, human diversity, legal updates and other pertinent areas. Several Officers are certified instructors.

## **To Protect and Serve**

UT police officers enforce state and local laws and University regulations governing underage drinking, the use of controlled substances, weapons, and other incidents requiring police assistance. They are also responsible for public services, such as crime reports, medical and fire emergencies, and traffic accidents.

## **Community Oriented Policing**

The University Police Department's philosophy of policing is centered on a cooperative working relationship with the campus community. The goal is to help one another strive toward a safer community

environment by setting mutually agreed upon objectives to solve problems, and to continually improve the quality of life on campus.

### **The following rules are necessary for the orderly regulation of vehicular traffic at the University:**

1. It shall be unlawful for any person to operate a motor vehicle in excess of 20 miles per hour on university property.
2. Operators of motor vehicles shall yield the right of way to pedestrians in marked crosswalks. Pedestrians have the right of way in designated crosswalks at all times, except at signal-controlled intersections, where pedestrians shall comply with the signal.
3. **Parking is prohibited at all times in all fire-lanes**, including those around all residence halls, Libbey Court, driveways both east and west of Carlson Library and the Student Union, and any other driveways marked as fire-lanes.
4. Where individual parking spaces are designated and marked on the parking surface, the vehicle shall be parked entirely within such individual parking space.
5. No vehicle shall be driven or parked upon any sidewalk, grassed or landscaped area.
6. No vehicle shall be parked in a visitor, handicapped, service, loading, or otherwise reserved space without the proper permits.
7. Motorcycles, motorbikes, motor scooters, and mopeds shall be parked in areas specifically designated for two-wheeled vehicles. It shall be unlawful to park such a vehicle on any sidewalk, lawn, landscaped area, patio, or any other area that is not an approved parking area.
8. It shall be unlawful to attach a two-wheeled vehicle, including bicycles, to any tree, shrub, lamppost, stair railing, handicap railing or post, or to store such vehicles in any hallway, stairway or exit way. Bicycles found in violation of this rule will have their locking chains/cables cut at the owner's expense and will be stored in the property room of the Campus Police Department. Bicycles not claimed within 90 days from the date of seizure will be considered abandoned, and eligible for sale at auction.
9. Disabled or malfunctioning vehicles which are illegally parked, or which may be left unattended overnight on campus, should be reported to the Campus Police Dispatcher.

## **Parking Regulations**

### **Board of Trustees Approved Policies Pertaining to Students**

#### **1. Joint Statement on Rights and Freedoms of Students**

The Board of Trustees of The University of Toledo, upon the recommendation of the Division of Student Life, Student Government, the Faculty Senate and the University Faculty, hereby submit the joint statement on rights and freedoms of students. Students are an essential element of the University community. The board further recognizes that these general statements must be implemented by specific regulations and procedures approved by the board, the same to be in accord with the powers, duties and responsibilities vested in this board under the laws of the state of Ohio.

#### **A. Preamble**

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Institutional procedures for achieving these purposes may vary from campus to campus but the minimal standards of academic freedom of students outlined below are essential to any community of scholars. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. The university has a duty to develop policies and procedures which provide and safeguard this freedom. Such policies and procedures should be developed within the framework of general standards and with the broadest possible participation of the members of the academic

community. The purpose of this statement is to enumerate the essential provisions for students freedom to learn.

## **B. Freedom of access to higher education**

The admissions policies of each college and the University are a matter of institutional choice provided that each college and the University make clear the characteristics and expectations of students which it considers relevant to success in the institution's program. Under no circumstances should a student be barred from admission on the basis of race, sex, sexual orientation, religion, national origin, age, handicap or veteran status. Thus, within the limits of its facilities, each college and the University should be open to all students who are qualified according to its admission standards. The facilities and services of the University should be open to all of its enrolled students, and the university will use its influence to secure equal access for all students to public facilities in the local community.

## **C. In the classroom**

The professor in the classroom and in conference should encourage free discussion, inquiry and expression. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

### **1. Protection of freedom of expression.**

Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

### **2. Protection against improper academic evaluation.**

Students should have protection through orderly procedures against prejudiced or capricious academic evaluations. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

### **3. Protection against improper disclosure.**

Information about student views, beliefs and political associations which professors acquire in the course of their work as instructors, advisers and counselors, should be considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student.

## **D. Student records**

The University has a carefully considered policy as to the information which should be part of a student's permanent educational record and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records should be separate, and the conditions of access to each should be set forth in an explicit policy statement. Transcripts of academic records should contain only information about academic status. Information from disciplinary or counseling files should not be available to unauthorized persons on campus, or to any person off campus without the express consent of the student involved except under legal compulsion or in cases where the safety of persons or property is involved. No records should be kept which reflect the political activities or beliefs of students. Provision should also be made for periodic routine destruction of non-current disciplinary records. Administrative staff and faculty members should respect confidential information about students which they acquire in the course of their work.

## **E. Student affairs**

In student affairs, certain standards must be maintained if the freedom of students is to be preserved.

### **1. Freedom of association**

Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They should be free to organize and join associations to promote their common interests.

a. The membership, policies and actions of a student organization usually will be determined by vote of only those persons who hold bona fide membership in the organization.

b. Affiliation with an extramural organization should not of itself disqualify a student organization from institutional recognition.

c. Each organization should be free to choose its adviser, and institutional recognition should not be withheld or withdrawn solely because of the inability of a student organization to secure an adviser.

Campus advisers may advise organizations in the exercise of responsibility, but they should not have the authority to control the policy of such organizations.

d. Student organizations are required to submit a statement of purpose, criteria for membership rules of procedures, and a current list of officers. They should not be required to submit a complete membership list as a condition of institutional recognition.

e. Campus organizations, including those affiliated with an extramural organization, should be open to all students without respect to race, sex, sexual orientation, creed, religion, national origin, or handicap, except for religious qualifications which may be required by organizations whose aims are primarily sectarian and except for fraternities and sororities that are permitted by federal law to restrict membership on the basis of sex.

## **2. Freedom of inquiry and expression**

a. Students and student organizations should be free to examine and to discuss all questions of interest to them, and to express opinions publicly and privately. They should always be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

b. Students should be allowed to invite and to hear any person of their choosing. Those routine procedures required by an institution before a guest speaker is invited to appear on campus should be designed only to ensure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities should not be used as a device of censorship. It should be made clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.

## **3. Student participation in institutional government**

As constituents of the academic community, students should be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of the student government and its general and specific responsibilities should be made explicit, and the actions of the student government within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures.

## **4. Student publications**

Student publications and the student press are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus.

They are a means of bringing student concerns to the attention of the campus community, including the faculty and the institutional authorities, and of formulating student opinion on various issues on the campus and in the world at large. Whenever possible the student newspaper should be an independent corporation financially and legally separate from the University. Where financial and legal autonomy is not possible, the institution, as the publisher of student publications, may have to bear the legal responsibility for the contents of the publications. In the delegation of editorial responsibility to students, the institution must provide sufficient editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community. Institutional authorities, in consultation with students and faculty, have a responsibility to provide written clarification of the role of the student publications, the standards to be used in their evaluation, and the limitations on external control of their operation. At the same time, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. As safeguards for the editorial freedom of student publications, the following provisions are necessary:

a. The student press should be free of censorship and advance approval of copy, and its editors and managers should be free to develop their editorial policies and news coverage.

b. Editors and managers of student publications should be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes should editors and managers be subject to removal, and then, only by orderly and prescribed procedures. The agency responsible for the appointment of editors and managers should be the agency responsible for their removal.

c. All University-published and financed student publications should explicitly state on the editorial page that the opinions there expressed are not necessarily those of the University or student body.

## **5. University open access, free speech posting area regulations and requirements**

The University is committed to maintaining and inspiring an environment that encourages inquiry and open debate. The University will be zealous in its efforts to promote free speech and first amendment rights. To this end, in the spirit of not just tolerating the open and free exchange of ideas, but actively supporting it, the University has established open-access posting areas in the Student Union and the Scott Park Student Center. These areas are open to all members of the University community and visitors. Those wishing to post material in these areas may do so without prior approval or censorship. The University is also obligated to maintain order in operations and in management of facilities and programs. Further, although the University will encourage and promote the exchange of ideas, it will be vigilant in protecting any individual or group from speech or other action that is intentionally used to harm or injure. In meeting its responsibilities, the University has established the following regulations relative to the open access posting areas:

- a. Open access posting of material will be restricted to the "free speech" posting areas designated on campus in the Student Union and Scott Park Student Center.
- b. Material posted is limited to one sheet not to exceed the size of 11" x 17."
- c. All material posted must be dated and include clear identification of the individual(s) or organization(s) posting the material. Material will remain posted for seven days from the date noted.
- d. No material may be posted which intentionally demeans, harasses, or distresses on the basis of the race, sex, religion, color, creed, disability, sexual orientation, national origin, ancestry or age of an individual or individuals.
- e. No material may be posted which intentionally creates an intimidating, hostile environment, which intentionally presents a clear and present danger of harm to individual(s) or to University operations, or which is considered pornographic by state statute. The open access posting areas will be monitored daily by representatives of student government and University officials designated by the Vice President for the Student Experience. Posted material not complying with the above standards will be removed. Appeals of decisions to remove material may be made to the Dean of Students who will establish a formal process to review such appeals. Violations of the above standards or abuse of the privilege of using these posting areas by University students will constitute a violation of the student code of conduct and will be reviewed and adjudicated through the appropriate processes.

## **F. Off-campus freedom of students**

### **1. Exercise of rights of citizenship.**

College and University students are citizens and members of the academic community. As citizens, students should enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy and, as members of the academic community, they are subject to the obligations which accrue to them by virtue of this membership. Faculty members and administrative officials should ensure that institutional powers are not employed to inhibit such intellectual and personal development of students as is often promoted by their exercise of the rights of citizenship on and off campus.

### **2. Institutional authority and civil penalties.**

Activities of students may upon occasion result in violation of law. In such cases, institutional officials should be prepared to apprise students of sources of legal counsel and may offer other assistance. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority should never be used merely to duplicate the function of general laws.

Only where the institution's interests as an academic community are distinct and clearly involved should the special authority of the institution be asserted. Institutional action should be independent of community pressure.

## **G. Procedural standards in disciplinary proceedings**

In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counseling, guidance, and admonition. At the same time, educational institutions have a duty and the corollary disciplinary powers to protect their educational purpose through the setting of standards of scholarship and conduct for the students who attend them and through the regulation of the use of institutional facilities. In the exceptional circumstances when the preferred means fail to resolve problems of student conduct, proper procedural safeguards should be observed to protect the student from the unfair imposition of serious penalties. The administration of discipline should guarantee procedural fairness to an accused student. Practices in disciplinary cases may vary in formality with the gravity of the

offense and the sanctions which may be applied. They should also take into account the presence or absence of an honor code, and the degree to which the institutional officials have direct acquaintance with student life, in general, and with the involved student and the circumstances of the case in particular. The jurisdictions of faculty or student judicial bodies, the disciplinary responsibility of institutional officials and the regular disciplinary procedures, including the student's right to appeal a decision, should be clearly formulated and communicated in advance. Minor penalties may be assessed informally under prescribed procedures. In all situations, procedural fair play requires that the student be informed of the nature of the charges against the student, that the student be given a fair opportunity to refute them, that the institution not be arbitrary in its actions, and that there be provision for appeal of a decision. The following are recommended as proper safeguards in such proceedings.

### **1. Standards of conduct expected of students**

The University has an obligation to clarify those standards of behavior which it considers essential to its educational mission and its community life. These general behavioral expectations and the resultant specific regulations should represent a reasonable regulation of student conduct, but the student should be as free as possible from imposed limitations that have no direct relevance to the student's education. Offenses should be as clearly defined as possible and interpreted in a manner consistent with the aforementioned principles of relevancy and reasonableness. Disciplinary proceedings should be instituted only for violations of standards of conduct formulated with significant student participation and published in advance through such means as a student handbook or a generally available body of University regulations.

### **2. Investigation of student conduct**

a. Except under extreme emergency circumstances, premises occupied by students and the personal possessions of students will not be searched unless appropriate authorization has been obtained. For premises such as residence halls controlled by the institution an appropriate and responsible authority should be designated to whom application should be made before a search is conducted. The application should specify the reasons for the search and the objects of information sought. The student should be present, if possible, during the search. For premises not controlled by the institution, the ordinary requirements for lawful search should be followed.

b. Students detected or arrested in the course of serious violations of institutional regulations, or infractions or ordinary law, should be informed of their rights. No form of harassment should be used by institutional representatives to coerce admissions of guilt or information about conduct of other suspected persons.

### **3. Status of the student pending final action**

Pending action on the charges, the status of a student should not be altered, or the right of the student to be present on the campus and to attend classes suspended except for reasons relating to the student's physical or emotional safety and well-being, or for reasons relating to the safety and well being of students, faculty and staff, or University property.

### **4. Hearing committee procedures**

When the misconduct results in serious penalties and if the student questions the fairness of disciplinary action taken, the student should be granted, on request, the privilege of a hearing before a regularly constituted hearing committee. The following suggested hearing committee procedures satisfy the requirements of 'procedural due process' in situations requiring a high degree of formality:

a. The hearing committee should include faculty members or students, or if regularly included faculty and student members. No member of the hearing committee who is otherwise interested in the particular case should sit in judgment during the proceeding.

b. The student should be informed, in writing, of the reasons for the proposed disciplinary action with sufficient particularity, and in sufficient time, to ensure opportunity to prepare for the hearing.

c. The student appearing before the hearing committee should have the right to be assisted in the defense by an adviser.

d. The burden of proof should rest upon the officials bringing the charge.

e. The student should be given an opportunity to testify and to present evidence and witnesses.

The student should have an opportunity to hear and question adverse witnesses. In no case should the committee consider statements against the student unless the student has been advised of their content and of the names of those who made them, and unless the student has been given an opportunity to rebut unfavorable inferences which might otherwise be drawn.

f. All matters upon which the decision may be based must be introduced into evidence at the proceeding before the hearing committee. The decision should be based solely upon such matters. Improperly acquired evidence should not be admitted.

g. In the absence of a transcript, there should be a digest and a verbatim record, such as a tape recording of the hearing.

h. The decision of the hearing committee should be final, subject only to the student's right of appeal.

## **2. Policy on Confidentiality of Student Records**

### **A. Introduction**

The Family Educational Rights and Privacy Act of 1974, as amended, (the Act) is a federal law which requires that a written institutional policy complying with the Act be established and that a statement of adopted procedures covering the privacy rights of students be published. Reinforcing longstanding institutional policy, the Act and other laws require The University of Toledo to maintain the confidentiality of student educational records except as noted below. The Dean of Students is primarily responsible for the administration of this policy at The University of Toledo. Copies of this policy, the Act, and related laws and regulations may be reviewed in the Dean of Student's Office. This policy also conforms to the requirements of the Ohio Privacy Act, as amended.

### **B. Definitions**

The following definitions are applicable:

#### **1. Student**

A student is any individual currently enrolled in any University academic offering. The term does not include applicants to any University program.

#### **2. Dependent students**

The definition contained in the applicable provisions of the United States Internal Revenue Code of 1954, as amended, is adopted herein by reference. No student shall be presumed to be a dependent student.

#### **3. Student educational records**

Student educational records include all records maintained by the University concerning a student, including admissions, academic, financial, and placement records. Student educational records do not include records maintained for law enforcement purposes which are kept separate and apart from academic, financial and placement records. Educational records include a university maintained list of requests by persons and offices external to the University for disclosure of educational records.

The list will also indicate the basis upon which any disclosure is made.

After January 1, 1991, The University of Toledo placement and career services credential service will accept only letters of reference that are open for review by the candidate. The office will continue to honor confidential letters of reference submitted prior to January 1, 1991.

#### **Educational records do not include:**

- a. Records of instructional, administrative, and educational personnel which are in the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute,
- b. The records of the department of campus security,
- c. Student health records and certain records maintained by the University counseling center,
- d. Employment records, or
- e. Alumni records.

#### **4. Administrative personnel**

Administrative personnel are those persons with supervisory or staff responsibility charged with the management of the University, or a part thereof, as well as those staff members assigned to maintain student educational records.

#### **5. Academic personnel**

Academic personnel are those persons holding regular or adjunct appointments to the faculty of The University of Toledo.

#### **6. Need to know**

Need to know means the necessity of knowing, due to a normal and customary need or function or pursuant to a University rule, regulation or authorized delegation of authority.

#### **7. Directory information**

Directory information at the university includes:

- a. Student name;
- b. Local address and phone number;
- c. College and major field of study;
- d. Class rank (freshman, sophomore, etc.);
- e. Dates of attendance and
- f. Degrees and awards received;
- g. Full or part-time status.

## **C. Disclosure of student education records**

### **1. External disclosures**

No one external to the University shall have access to nor will the university disclose any information from students' education records without the written consent of students except as noted below.

- a. In connection with a student's application for, or receipt of, financial aid;
- b. To parents or legal guardians of dependent students;
- c. To government officials, as required by statute, regulation, or rule;
- d. To accrediting organizations;
- e. Pursuant to a court subpoena after a reasonable attempt to notify the student of the disclosure;
- f. In response to a request for internal disciplinary records;
- g. To organizations or individuals conducting studies for, or on behalf of, local and state educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction;
- h. In any emergency to protect the health and safety of the student or other individuals.

### **2. Internal use of educational records**

Within The University of Toledo community, only those members, individually or collectively, acting in the student's educational interest, are allowed access to student educational records.

These members include administrative and staff personnel, and within the limitations of their need to know, academic personnel.

### **3. Directory information**

At its discretion the University may provide "directory information" upon inquiry in accordance with the provisions of the Act.

Students may prohibit the release of "directory information" by notifying the registrar's office in writing or by using the web for students.

## **D. Inspection and challenge of educational records**

Students have the right to inspect and review most information contained in their educational records, to challenge the contents of their educational records, to have a hearing of the outcome if the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panel to be unacceptable. The Dean of Students at The University of Toledo is responsible for coordinating the inspection and review procedures for student educational records. Inquiries as to the extent and location of student educational records subject to inspection should be directed to the Dean of Student's Office. Students wishing to review their educational records must make written requests to the Dean of Students or a designee listing the item or items of interest. Student educational records covered by the Act will be made available as soon as possible, but within forty-five days of the request.

### **1. Inspection**

The right of inspection includes access to a University official capable of providing any necessary explanation or interpretation of the data contained in a student's educational record.

The University may require that the inspection proceed in the presence of a university official. Students may have copies made of their educational records except that certified copies of transcripts shall be available only if their outstanding obligations to the University are paid or excused. Copies of records will be made at the student's expense at prevailing rates which are posted in the office of student records.

Students may not normally inspect and review the following records:

- a. Financial information submitted by their parents;
- b. Confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review;
- c. Educational records containing information about more than one student, in which case the university will permit access only to that part of the record which pertains to the inquiring student. The University

does not permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1, 1975, provided those letters were collected under the established policies of confidentiality and were used only for the purpose for which they were collected. Health records, and certain records maintained by the University counseling center not defined as educational records may be reviewed by a licensed physician of the student's choosing and with the students' written consent.

## **2. Challenge**

Students who believe that their educational records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights, may discuss their problems informally with the Dean of Students or a designee. If such discussions result in a decision which is in agreement with a student's request, the Dean of Students or a designee shall take steps to see that the appropriate records are amended. If not, the student will be notified within a reasonable period of time that the records will not be amended and the student will be informed by the Dean of Students or a designate of the student's right to a formal hearing.

A request for a formal hearing must be made in writing to the Dean of Students and must contain a statement of the dispute. The Dean of Students within a reasonable period of time after receiving such request will inform the student of the date, place, and the time of the hearing. A student may present evidence relevant to the issues raised and may be assisted or represented at the hearing to resolve problems concerning student educational records. Transcripts of the hearing may be made at the requesting party's expense. A copy of any such transcript must be supplied to the hearing council before it renders its decision. The hearing panel which will adjudicate such challenges will be composed of the Vice President for Student Life, a member of the faculty designated by the chairperson of Faculty Senate, and a member of the Student Judiciary Board designated by the chairperson of the board. No student or faculty member with prior involvement in the matter shall be designated. Recommendations of the hearing panel will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reason for the decisions, and will be delivered to all parties concerned. The student's educational records will be corrected or amended in accordance with the recommendations of the hearing panel if the recommendations are in favor of the student. If the decisions are unsatisfactory to the student, the student may place with the disputed education records a brief statement commenting on the information in the records, or a statement setting forth any reasons for disagreeing with the decisions of the hearing panel. The statement must be reasonably concise, normally not more than 100 words, and will be maintained with the student's educational records, and released whenever the records in question are disclosed. At any time after a request for a formal hearing is made, a student may request in writing that the Dean of Students furnish a copy of the student's statement of dispute or the resolution thereof to any person specifically designated by the student. Students may be charged a reasonable fee for this service. Students who believe that adjudication of their challenges is unfair, or not in keeping with the provisions of the act, may request, in writing, assistance from the office of the Vice President for the Student Experience; however, if the incumbent of that office has served on the hearing panel in the matter, the request may be directed to the Office of the President of the university.

Further, students who believe that their rights have been abridged may file complaints with the Family Educational Rights and Privacy Act office 'FERPA', Department of Health and Human Services, Washington, D.C. 20201, concerning the alleged failures of The University of Toledo to comply with the Act.

## **3. Transcripts**

Students who graduate with outstanding obligations to the University will be unable to obtain certified copies of their transcripts until the outstanding obligations have been satisfied.

## **E. Rules**

The Dean of Students may adopt such rules and procedures as are necessary to place this policy into effect.

## **3. Policy on Satisfactory Academic Progress for Recipients of Federal Financial Aid**

Federal regulations require that The University of Toledo review, at least annually, the academic progress of students who apply for and/or receive federal financial assistance. This regulation applies to all applicants whether or not financial aid has been received previously.

### **A. Programs affected**

1. Federal Pell Grant
2. Federal Supplemental Educational Opportunity Grant (FSEOG)
3. Federal Work Study
4. Federal Perkins Loan
5. Federal Direct Stafford loans, subsidized and unsubsidized
6. Federal Direct PLUS Loan

### **B. Minimum hours to be completed**

Every student must successfully complete a minimum of sixty-seven per cent of the hours attempted at the University. Summer credits will be added to the previous academic year's work. The total number of hours attempted will be determined as of the last day of the semester.

A credit course is completed when a student earns a grade of A, B, C, D, PS, F, and NC. Grades of I, NC, W, IW, and PR do not indicate a successfully completed course. Students taking developmental courses only or a combination of developmental courses and regular courses may successfully complete sixty-seven percent of the total class schedule. Only grades of PS are acceptable for developmental courses. Federal financial aid will pay no more than thirty credit hours of developmental courses.

Satisfactory academic progress reviews will normally be conducted at the end of the spring semester.

### **C. Required grade point average (GPA)**

Student accumulative grade point average must be equal to, or higher than, the standards established by the university. These requirements are:

#### **1. Baccalaureate degree — seeking students**

- a. Students who have attempted 0-29 credits must have a cumulative grade point average of 1.50
- b. Students who have attempted 30-45 credits must have a cumulative grade point average of 1.7
- c. Students who have attempted 46-59 credits must have a cumulative grade point average of 1.80
- d. Students who have attempted 60+ credits must have a cumulative grade point average of 2.00

#### **2. Associate degree seeking students**

- a. Students who have attempted 0-15 credits must have cumulative grade point average of 1.00
- b. Students who have attempted 16-29 credits must have a cumulative grade point average of 1.50
- c. Students who have attempted 30+ credits must have cumulative grade point average of 2.00

#### **3. Graduate and College of Law students**

Students will generally remain eligible to receive financial aid as long as they are eligible to continue to register for classes. However, all students are expected to complete sixty-seven per cent of the credit hours they attempt in order to maintain eligibility and establish a GPA for each term enrolled.

### **D. Calculating remaining eligibility**

Each semester of attempted enrollment translates into a percentage:

Full time = 100%

Three quarter time = 75%

Half time = 50%

Less than 1/2 Time = 25%

If you are accepted into a four-year baccalaureate degree program, you have the equivalent of 12 full-time semesters in which to complete your degree. For example, suppose you enrolled according to the following schedule:

**Semester Enrollment Status Percentage**

Fall 2011 Half time .50  
Spring 2012 Full time 1.00  
Summer 2012 Half time .50  
Fall 2012 Half time .50  
Spring 2013 Three Quarter time .75  
Fall 2013 Three Quarter time .75  
Spring 2014 Full time 1.00  
Fall 2014 Half time .50

**Total 5.50**

Even though you may have attended three academic years, you used only 5.5 semesters of eligibility toward your degree. You would then still have 6.5 semesters of eligibility remaining.

**E. Re-establishing eligibility for aid**

Your progress will be checked after grades are posted each spring term. If you are determined to be out of compliance with the progress standards, you will be placed on a one-year conditional eligibility status. You will still be eligible to receive aid for one academic year. Your grades will be checked for you the following spring. If you have brought your academic standing into compliance with the policy, your aid will be reinstated. If you have met minimum requirements, you may be continued on conditional eligibility. If you have not made progress, your aid will be denied until you either appeal and have aid reinstated or continue to attend classes and bring your record back into compliance with the policy, paying for those courses on your own. Once you have brought your record back into compliance, you may again appeal for reinstatement. For a complete discussion of this policy, contact the Office of Student Financial Aid.

**1. The Higher Education Act of 1976,**

as amended, requires The University of Toledo to develop and apply a consistent and reasonable standard of academic progress for all students who receive federal financial aid in order for those students to continue to receive such assistance. This standard must contain all elements specified in the regulations and must be at least as strict as the policy used for all students who do not receive federal financial aid. "Satisfactory Academic Progress" is measured in terms of performance, through grade point average, and in terms of degree or program completion. The following programs are directly affected: Federal Pell Grant, Federal Supplemental Educational Opportunity Grant, Federal Work-Study, Federal Perkins loan, all William D. Ford federal direct loans, and all federal family education loans. Although the Ohio instructional grant is not a federal financial aid program and therefore is not governed by the policies below, regulations published by the Ohio Board of Regents require that certain standards be maintained. All eligible students must enroll for 12 hours per semester in order to receive the benefits of the program and may receive funds for a maximum of 10 semesters. The part-time instructional grant, while it has the same income requirements as the Ohio instructional grant, requires enrollment from one to eleven credit hours. There is no limit on how many semesters or semesters a student may receive the part-time instructional grant.

**2. Guidelines**

The University of Toledo has adopted standards with which the academic progress of financial aid recipients will be monitored. These standards insure the proper distribution of financial aid to eligible students. All students are expected to complete sixty-seven per cent of the credit hours they attempt in order to maintain eligibility. For the purposes of this policy, grades of I, IN, NC, IW and PR indicate attempted courses which were not completed. Baccalaureate degree seeking students must complete their degree within enrollment in 124 credit hours. The University limits eligibility for financial aid to the first twelve (12) semesters of full-time enrollment; the first eighteen (18) semesters of three-quarter time enrollment; or the twenty-four (24) semesters of half-time enrollment or less. Associate degree seeking students must complete their degree within enrollment in 110 credit hours. The university limits eligibility for financial aid to the first six (6) semesters of fulltime enrollment; the first nine (9) semesters of three-quarter time enrollment; or the first twelve (12) semesters of half-time enrollment or less. The satisfactory academic progress standards for financial aid eligibility for graduate and College of Law students are as follows: Students will generally remain eligible to receive federal financial aid as long as

they are eligible to continue to register for classes, as determined by their college. However, all students are expected to complete sixty-seven per cent of the credit hours they attempt in order to maintain eligibility and must establish a GPA each semester. A student may have financial aid reinstated if the academic record is brought back into compliance while the student pays for registration without financial aid. Once the academic record is in compliance, the student must provide the Office of Student Financial Aid with an unofficial grade transcript for review. Receipt of financial aid will be contingent upon the availability of funds at the time of reinstatement.

## **4. Fees**

Students shall be charged fees and allowed refunds in accordance with the schedules adopted by the board of trustees.

## **5. The Conduct and Discipline System**

### **Preface**

It is the responsibility of a University to be concerned with the overall development of its students. Intellectual development is assisted in the classroom by furnishing academic knowledge. It is the further responsibility of the University to be concerned with personal and social development so that it may assist students in becoming mature, responsible adults. Establishing standards of student conduct is one of the means through which this latter responsibility is fulfilled. The emphasis in the administration of student conduct is placed upon treating behavioral problems in a manner which relates to the educational purposes of the University. In prescribing the student conduct system, the rights and responsibilities of the individual student(s), student groups or student organizations are considered concurrently with institutional and community rights and responsibilities. The University thus bases its conduct system on the Joint Statement on Rights and Freedoms of students, which is printed in the Student Handbook. Actions by individual students, groups of students or student organizations, which interfere with the orderly functions of the University, or actions, which endanger the health or safety of members of the University community, will not be tolerated.

### **Student Conduct Standards**

Section 3345.21 of the Ohio Revised Code pertains to the authority of the University to maintain order on campus. In part it states: The board of trustees of any college or university shall regulate the conduct of the students, staff, faculty, and visitors to the campus so that law and order are maintained and the college or university may pursue its educational objectives and programs in an orderly manner. The board of trustees of each such college or university shall adopt regulations for the conduct of the students, faculty, visitors, and staff, and may provide for the ejection from college or university property, suspension or expulsion of a person who violates such regulations. All such rules shall be published in a manner reasonably designed to come to the attention of, and be available to, all faculty, staff, visitors, and students. The board of trustees shall provide for the administration and enforcement of its rules... Pursuant to this Ohio statute, The University of Toledo has established standards of student conduct and procedures for their enforcement. The standards of conduct are published, as The Student Code of Conduct and the commission of any of the acts enumerated in The Student Code of Conduct will be considered violations of accepted conduct. In the enforcement of the code, all students will have the right to receive notice of charges and the opportunity to be heard. The University of Toledo Student Conduct System is the responsibility of the Division of Student Life through the Dean of Students Office. The Assistant Director for Student Judicial Affairs has specific responsibility for the operation and administration of the conduct system. The Assistant Director for Student Judicial Affairs, in consultation with the Associate Vice President and Dean of Students, as well as appropriate University officials and students will revise and update the policies and procedures for the Code of Conduct; conduct training sessions for hearing officers and bodies; and manage and maintain all records. Under the oversight of the Director of Student Judicial Affairs and Greek Life, members of the University residence hall staff have responsibilities in the conduct system.

### **Student Code of Conduct**

#### **Article I: Definitions**

A. The term “**The University**” means The University of Toledo.

B. The term “**student**” includes all persons taking courses at The University of Toledo, both full-time and part-time, pursuing undergraduate, graduate, or professional studies. Persons who are not officially

enrolled for a particular term but, who have previously enrolled and have a continuing relationship with The University of Toledo are considered “students”.

C. The term “**The University of Toledo**”

**Premises** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by The University of Toledo (including adjacent streets and sidewalks).

D. The term “**student organization**” means any number of students who have complied with the formal requirements for University of Toledo recognition as a student organization.

E. The term “**judicial body**” means any person or persons authorized by the University to determine whether a student has violated the Student Code and to recommend imposition of sanctions.

F. **The Assistant Director for Student Judicial Affairs** is that person designated by The University of Toledo to be responsible for the administration of the Student Code of Conduct.

G. The term “**Judicial Officer**” generally refers to the staff members in the Office of Dean of Students and members of the University community that the Assistant Director for Student Judicial Affairs has designated as a Judicial Officer, Assistant Judicial Officer, and members of the Residence Life staff when residence hall students are involved.

H. The term “**policy**” is defined as the written regulations of The University of Toledo as found in, but not limited to, the conduct code, residence hall living guides and, appropriate sections of the University Policy Manual and University catalogues.

### **Article II: Judicial Authority**

A. The Assistant Director for Student Judicial Affairs in consultation with appropriate University officials and students shall develop policies and procedures for the administration of the judicial program and procedural rules, consistent with the Joint Statement on Rights and Freedoms. All policies and procedures shall be published in a manner reasonably designed to come to the attention of and be available to all students, faculty, staff and visitors.

B. A judicial body may serve to mediate disputes within the student community in cases which do not involve a violation of the Student Code. All parties must agree to mediation and to be bound by the resolution with no right of appeal (see Article VI).

C. The University of Toledo Student Code of Conduct and the Judicial System applies to individual students, student groups, and student organizations.

D. The Student Code of Conduct identifies those behaviors considered unacceptable and not permitted for all students of The University of Toledo whether on or off campus. This includes, but is not limited to, behaviors which may occur on professional practice assignments, while attending activities as a representative of The University of Toledo, while representing the University in the community or at University sanctioned or sponsored events. It also includes off-campus violations that are determined to be injurious, threatening or disruptive to members of the University community or to the educational process of the University.

### **Article III: Judicial Bodies**

Each person involved in the administration of conduct cases at The University of Toledo will set as a goal the fair, objective, educational, and humane approach to all discipline cases. Consistent treatment in disciplinary action is another goal. Each case, however, must be recognized as an individual matter. Those involved in administering the judicial system should further be aware that their efforts are primarily directed toward:

- Addressing student behavior which may violate the Code of Conduct
- Protecting the integrity and order of the institution.
- Preserving the health and safety of the University community.
- Educating students involved with the conduct process so they may learn self-discipline and accept the responsibilities of membership in the University community.
- Helping students gain insight into the reasons and consequences of behavior so they may cope with difficult situations more successfully.
- Identifying and acting upon factors, environmentally and/or personally, which may significantly contribute to unacceptable behavior.

The following officers and boards shall review and process issues of student conduct and if appropriate, adjudicate violations of the Student Code of Conduct.

#### **A. Judicial Officer**

The University Judicial Officer is the Assistant Director for Student Judicial Affairs or another individual designated by the Associate Vice President and Dean of Students, and must be a member of the Division

of Student Affairs administrative staff. Reference to this official in this document includes the designation of Assistant Judicial Officers, and members of the Residence Life staff to carry out these responsibilities in cases involving Residence Hall students as defined by the Assistant Director for Student Judicial Affairs. A Judicial Officer may hold an administrative hearing with a student(s) involved in an alleged violation of the Code of Conduct and render a decision on the case if the charged student(s) waive the right to a University Student Judicial Board hearing. Judicial officers may assign sanctions up to and including probation. Cases which may result in sanctions which separate a student from the University will be adjudicated by the Assistant Director for Student Judicial Affairs or his/her designee.

#### **B. University Student Judicial Board**

The University Student Judicial Board is the board of original jurisdiction over alleged violations of the Student Code of Conduct if **a)** The accused student requests that his/her case be heard by the University Student Judicial Board or **b)** the Assistant Director for Student Judicial Affairs or his/her designee refers a case to the University Student Judicial Board for adjudication. The University Student Judicial Board is composed of students selected and trained by the Assistant Director for Student Judicial Affairs and the Office of Dean of Students, in consultation with the Student Senate and the Vice President for the Student Experience. Students on the University Student Judicial Board must have completed their first year in school and be in good standing with The University of Toledo. A minimum of five students must be present to conduct a hearing; however, the Board may include up to seven members. Students on the University Student Judicial Board are appointed to one-year terms. The University Student Judicial Board may assign any sanction(s) provided in this policy.

#### **C. University Discipline Appeals Board**

The University Discipline Appeals Board (UDAB) considers appeals by students from findings of administrative hearings and the findings of the University Student Judicial Board. The UDAB serves as the judicial body of original jurisdiction for cases involving Summary Suspension and those initiated by The University of Toledo community. Appeals for cases of which UDAB is the Board of original jurisdiction are directed to The Vice President for the Student Experience. The University Discipline Appeals Board is composed of six individuals, three students, selected by the Office of Dean of Students through consultation with the Student Senate and the Vice President for the Student Experience, and two faculty or staff members, none of whom has served on a judicial board related to the pending case. The non-voting chair of the University Discipline Appeals Board will be the Dean of Students or his/her designee. The faculty members of the University Discipline Appeals Board are appointed by the Vice President for the Student Experience. Members of the University Discipline Appeals Board will serve two-year terms. Members may be appointed to consecutive terms at the discretion of the Vice President for the Student Experience. Vacancies on the Board may be filled at any time. The University Discipline Appeals Board may assign any sanction(s) provided in this policy when serving as the board of original jurisdiction. The parameters of the decision making authority of the University Discipline Appeals Board while serving as the appeals body is set forth in Article V, Section D, Number 7 of the Student Code of Conduct.

### **Article IV: Proscribed Conduct**

#### **A. Jurisdiction of The University of Toledo**

The University has jurisdiction over any individual student, group of students or student organization alleged to have violated the Student Code of Conduct on the University of Toledo premises. Off-campus violations can also subject a student to the jurisdiction of the University Judicial System when the University determines the violation is threatening or disruptive to the members of the University community or to the educational process of the University or as described in Article II, Section D. listed above.

#### **B. Conduct Rules and Regulations**

Students charged with offenses will have their cases processed through an administrative hearing either in the residence halls (if the conduct occurred there) or through the Office of Dean of Students, if they waive their right to a University Student Judicial Board Hearing. If the sanction for the charged offense may result in the student being separated from the University of Toledo, their case will be handled by the Assistant Director for Student Judicial Affairs or his/her designee. Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article V. 1. Violation of written University policy or regulations contained in any official publication or administrative announcement of The University of Toledo (Student Handbook, Residence Living Guide, [McComas Village Living Guide](#), University Policy Manual, Student Organization Manual, etc.).

2. Student(s) charged with violations of local, state or federal law on University property, or off-campus when such violation of the law is a threat to the safety or security of other University community members.
3. Disruption of operations of the University Community. Disruption is an action or combination of actions by an individual or a group, which unreasonably interferes with, hinders, obstructs, or prevents the right of others to freely participate in its programs, services, or academic settings. This may include, but is not limited to a disruption by the use of pagers, cell phones and/or any other communication devices.
4. Furnishing false information to a University official.
5. Forgery, alteration, destruction, or misuse of University documents, records, identification cards, or papers.
6. Failure to comply with directives of, or to present identification to, University officials acting in the performance of their duties.
7. Unauthorized entry into or use of University facilities.
8. Use, possession, distribution, or being under the influence of alcoholic beverages, except as permitted by law and University policy.
9. Use, possession of drug paraphernalia; and or use possession, distribution, or being under the influence of narcotics or dangerous drugs, except as permitted by law and University policy.
10. Theft of, or damage to property of the University or to property of any of its members or visitors; or possession of property stolen from the University or any of its members or visitors.
11. Unintentional infliction or threat of physical harm.
12. Gambling for money or other things of value.
13. Unauthorized use, possession or storage of firearms, ammunition, weapons or realistic replicas of weapons while a University of Toledo student. Firearms are defined as any weapon that fires projectiles. Weapons include any object or substance designed or used to inflict a wound, cause injury, or incapacitate.
14. Intentional inflictions or threat of physical harm to any person.
15. Discriminatory harassment, verbal, physical or otherwise, based on sex, race, color, national origin, religion, disability or handicap, age, veteran status or sexual orientation, that has the purpose or effect of interfering with a person's work or educational performance; creates an intimidating, hostile or offensive working, learning or living environment; or interferes with a person's ability to participate in or benefit from a class, an educational program or activity; or will cause physical or mental injury.
16. Hazing or the commission of any act that causes or creates a substantial risk of causing physical or mental harm to another.
17. Disorderly conduct or lewd, indecent, or obscene conduct.
18. All forms of sexual assault including stranger rape, acquaintance rape, and sexual imposition. (Note: See Article V A9-Victim Rights.)
19. Disorderly or disruptive classroom conduct.
20. Aid to others in committing or inciting others to commit any act mentioned above. Any other acts which adversely affect University functions or University sponsored activities, disrupt community living on campus or in University arranged housing, interfere with the rights of others to the pursuit of their education, or otherwise affect adversely the processes of the University.
21. Unauthorized use or misuse of any computer, computer system, service, program, data, network, cable television network, or communication network.

### **C. Violation of Law and The University of Toledo Code of Conduct**

The Student Code of Conduct and other aspects of the conduct system do not replace or reduce the requirements of civil or criminal laws. The campus is not a sanctuary from the general law and members of the University community also have responsibilities as citizens. University students who violate civil or criminal law off campus may be subject to University disciplinary procedures if the behavior is a threat to the security of persons or operations of the University. Proceedings under the Student Code of Conduct may be carried out prior to, simultaneously with, or following, civil or criminal proceedings off campus at the discretion of the University. Substitute House Bill 95 of the 125<sup>th</sup> General Assembly, which is codified in Section 3333.38 of the Ohio Revised Code, focuses on the riotous behavior of students on and around university campuses. The new law has two separate penalty provisions-denial of financial aid and expulsion. Regarding financial aid, R.C. 3333.38 (B) generally provides that an individual who is convicted of, pleads guilty to, or is adjudicated a delinquent child for violating R.C. 2917.02 (aggravated riot), R.C. 2917.03 (riot), R.C. 2917.04 (failure to disperse), or R.C. 2917.13 (misconduct at an

emergency), shall be ineligible to receive any student financial assistance supported by state funds for two calendar years from the time the individual applies for financial assistance. With respect to expulsion, a student shall immediately be dismissed from the University if he or she is convicted of, pleads guilty to, or is adjudicated a delinquent child for violating R.C. 2907.02 (aggravated riot) or R.C. 2917.03 (riot). Moreover, no Ohio public university or college shall admit an individual who has been convicted for either R.C. 2907.02 or .03 for one academic year after the individual applies for admission. Action taken as a result of R.C. 3333.38 does not limit or affect The University of Toledo's ability to otherwise discipline students under the Student Code of Conduct.

#### **D. Student Organizations**

The Student Code of Conduct and all policies and processes related to the Code apply equally to students and student organizations. In the administration of a case involving a student organization, the Assistant Director for Judicial Affairs may consult with the organization's officers, advisor, the Dean of Students and other University and organization officials. Student organizations are subject to the full range of University sanctions for violations of the Student Code of Conduct.

### **Article V: Judicial Policies**

#### **A. Charges and Hearings**

1. Any member of The University of Toledo community may file a complaint against any student for misconduct that violates the University's Student Code of Conduct. Complaints must be prepared in writing and directed to the Assistant Director for Student Judicial Affairs or to a Residence Hall Director. A complaint should be submitted as soon as possible after the event takes place, preferably within thirty (30) days.
2. Upon receipt of a complaint, the Judicial Officer will review the report to determine if a violation has occurred. If, based on the review, there is not sufficient evidence to substantiate the complaint, the complaint will be dismissed. The Judicial Officer can also decide that the best manner to handle the complaint is mediation. All cases handled through mediation will be directed to the Assistant Director for Student Judicial Affairs for assignment to the appropriate Judicial Officer.
3. In cases where the complaint suggests that a violation of the Code of Conduct may have occurred, the Judicial Officer will schedule a meeting with the student or student organization's president to investigate the complaint and/or incident. Upon discussing the situation with those involved and reviewing all information, the Judicial Officer will either provide the student with a notice of the alleged violation or dismiss the case. In cases where it is determined that a violation may have occurred, the student or student organization will be informed of such and presented with a written notice of charges. At this time, the student or student organization will then be given the option to have the judicial hearing at that time with the Judicial Officer, schedule a judicial hearing at a later time with the Judicial Officer, or have their hearing held before the Student Judicial Board, which will be scheduled at a later time.
4. If the student, during the investigation or judicial meeting, admits responsibility for the alleged violation(s), the Judicial Officer will then determine the appropriate sanction. If the student believes the sanction issued by the Judicial Officer or Board is not justified by the nature of the offense, the student may then file an appeal as described in Article V, Section D of the Student Code of Conduct.
5. In the event that the student denies that a violation took place, the Judicial Officer, based on the preponderance of the evidence, will charge the student and the student will be presented with the option of having their judicial hearing with either the Judicial Officer or a Student Judicial Board.
6. The accused has a right to be presented with the charges in written form. The student may choose not to contest the charges, waive rights to a hearing, and request that the Assistant Director for Student Judicial Affairs or his/her designee issue a determination with appropriate sanction(s). Whether to resolve a case in this fashion or require a hearing is the decision of the Assistant Director for Student Judicial Affairs or his/her designee. If an accused student waives their rights to a hearing in front of the University Student Judicial Board, then they may also waive their right to appeal the decision made by the Judicial Officer.
7. If a hearing is requested, a time will be set for a hearing not less than five nor more than fifteen calendar days after the student has been notified of charges. Maximum time limits for scheduling of hearings may be extended at the discretion of the Assistant Director for Student Judicial Affairs.
8. Hearings will be conducted by the University Student Judicial Board in a manner that will not be restricted unduly by rules of evidence and procedure. The following guidelines will apply:
  - a. Hearings normally will be conducted in private. At the request of the accused student, and subject to the discretion of the chairperson of the judicial body, the hearing may be open.

- b. Admission of any person to the hearing will be at the discretion of the chairperson.
  - c. In hearings involving more than one accused student, the Assistant Director for Student Judicial Affairs or his/her designee, at his/her discretion, will determine if hearings concerning each student will be conducted jointly or separately.
  - d. The accused student has the right to be assisted by an advisor of his/her choice who must be a member of the University community (faculty, staff, or student). The advisor may assist the accused student in presenting a case; however, in the hearing, the accused student must speak for him/herself and the advisor may only address the Board in the limited manner that the process allows. Attorneys may not serve as advisors, but may be present to consult with the accused student(s). In this capacity, they may not question witnesses, introduce evidence or argue on behalf of the accused.
  - e. On behalf of the University, the Assistant Director for Student Judicial Affairs or his/her designee may present the facts and circumstances of a case before the University Student Judicial Board.
  - f. The complainant, the accused student(s) and the judicial body have the privilege of presenting witnesses, subject to the right of questioning by all parties.
  - g. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by the University Student Judicial Board at the discretion of the chairperson.
  - h. All procedural questions are subject to the final decision of the chairperson of the empanelled University Student Judicial Board.
  - i. After the hearing, the University Student Judicial Board will determine (by majority vote) whether the student has violated each section of the Student Code of Conduct, which the student is charged. The University Student Judicial Board's determination shall be made on the basis of whether it is more likely than not that the accused student(s) violated the Student Code of Conduct.
  - j. If the University Student Judicial Board determines by majority vote that a student has violated the Student Code of Conduct, the University Student Judicial Board must determine the appropriate sanction. In doing so, the University Student Judicial Board may consider the past record of the student(s) and may seek a recommendation from the Assistant Director for Student Judicial Affairs or his/her designee.
7. There will be a single verbatim record, such as a tape recording, of the entire hearing except for the deliberations before the University Student Judicial Board. The record shall be the property of The University of Toledo, the release of which will be subject to Family Educational Rights and Privacy Act.
8. A student may not be found to have violated the Student Code of Conduct solely because the student failed to appear before a judicial body. In all cases, the evidence in support of the charges shall be presented and considered.
9. Victim Rights — A student who files a disciplinary complaint which results in the Assistant Director for Student Judicial Affairs or his/her designee bringing University charges of a Code violation 18 — All forms of sexual assault...has the following rights within the University conduct system:
- a. The right to be kept informed of the status of proceedings throughout the process.
  - b. The right, in all disciplinary hearings and proceedings, to have the presence of an advocate, support person, counselor, or advisor as long as this person is a member of the University community (faculty, staff, or student). This person may consult with the student but not participate directly in the hearing.
  - c. The right to remain present throughout the disciplinary hearing, excluding Board deliberations.
  - d. The right to submit, orally or in writing, a victim impact statement to any disciplinary Board and/or official.
  - e. The right to have past unrelated behavior excluded from any hearing except during the sanctioning phase of the hearing.
  - f. The right to be informed in writing of the outcome of the disciplinary hearing.

## **B. Sanctions**

The following sanctions may be imposed upon any student or student group/organization found in violation of the Student Code of Conduct. More than one of the sanctions listed below may be imposed for any single violation. Disciplinary sanctions are not to be made part of the student's permanent academic record, but do become part of the student's conduct record. A student's discipline record will be maintained by the Office of Dean of Students in compliance with The University of Toledo's Records and Retention Policy. In each case in which it is determined that a violation of the Student Code of Conduct has occurred; the following sanction(s) shall be determined by the Assistant Director for Student Judicial Affairs, his/her designee, and/or the Judicial Bodies and imposed in writing.

### **1. Disciplinary Warning**

Disciplinary warning is a notice to a student that his/her conduct has been questionable and that further breaches of conduct will be treated more severely.

The warning may be verbal or written and is recorded in the discipline records of the Office of Dean of Students. Conditional Warning is a disciplinary warning with the condition, specified by the judicial body, of participation in or attendance at some program or activity (e.g. drug or alcohol education).

## **2. Conditional Warning**

Conditional warning is a disciplinary warning with the condition, specified by the judicial body, of participation in or attendance at an education program or activity, including, but not limited to, an educational seminar, a treatment program for alcohol or drug abuse, psychological counseling, or other program/task designed to assist the student in learning more about how their behavior impacted themselves and/or the community.

## **3. Parental Notification**

The University shall notify the parents or guardians of students under the age of 21 (at the time the letter will be sent) when the student has committed a violation of law or University policy pertaining to drugs or alcohol.

## **4. Alcohol Violations Sanctioning Guidelines**

### **Presence of Alcohol (Code 1)**

Disciplinary warning and Judicial Educator

### **First Offense (Code 8)**

#### ***Harm to self, Others or Property***

Substance Abuse Assessment (SASSI), AlcoholEDU \$50, Disciplinary probation and parental notification.

#### ***No Harm to Self, Others, or Property***

Disciplinary warning, Substance Abuse Assessment (SASSI), AlcoholEdu \$50, Disciplinary probation and parental notification (waiver signed when parents are notified.)

### **Second Offense or Hospital**

#### **Transport (Code 8)**

Referral to counseling center, Disciplinary probation for no less than two semesters, parental notification and the Advanced Alcohol Education class at the cost of \$100.00

### **Third Offense**

#### ***Harm to self, Others or Property***

Suspension from school for no less than two academic semesters, parental notification, and permanent loss of privilege to reside in or visit University arranged housing. Further violations may result in disciplinary dismissal or disciplinary expulsion.

#### ***No Harm to Self, Others, or Property***

Completion of outpatient substance abuse program, possible removal from University-arranged housing, disciplinary probation for no less than two semesters, fees, and parental notification. Further violations may result in disciplinary suspension or disciplinary dismissal.

## **5. Drug Violations Sanctioning Guidelines**

### **Smell of Marijuana (Code 1 – smell)**

Disciplinary warning and Judicial Educator

### **First Offense (Code 9)**

Disciplinary probation, Judicial Educator, parental notification and a 10-Page paper on the “Laws, Effects and Consequences Associated with Marijuana” and the completion of the SASSI in the Office of Student Judicial Affairs at the cost of \$25.00.

### **Second Offense or Possible Dealing**

#### **(Code 9)**

Case referred to Judicial Affairs, removal from housing, suspension for up to one year and referral to the University of Toledo Counseling Center for mandatory counseling.

## **6. Restitution**

Restitution requires a student to pay for damages to property of members or of visitors to the University, or for misappropriation of University funds, or for other expenses incurred as a result of violations of conduct standards. Such reimbursement shall be charged to any student who alone, or through group activities, organizes or knowingly participates in the events causing the damages or costs. Restitution may be imposed separately or in addition to any other sanction(s).

## **7. Fine/Administrative Fee**

A fine requires a student to pay a sum of money (not to exceed \$100). *An administrative fee is assessed to assist with costs associated with an education workshop or program.* The amount shall be determined by the Assistant Director for Student Judicial Affairs or his/her designee. Fines may be imposed separately or in addition to any other sanction(s). *Students who request hearings in front of the Student Judicial Board may receive a fee to cover the administrative costs for the hearing, i.e. copies, supplies, materials for the hearing.* The fines or fees listed below will automatically be assessed. Certain Residence Life policies include specific fines if a student(s) is found to have violated the policy. These fines are clearly stated in the Residence Living Guide.

*\$25 Fine due to failure to attend a meeting/conduct conference or complete a sanction by the required date.*

*\$25 Fee to cover costs associated with an educational workshop (Anger Management, Ethics Workshop, etc.)*

*\$25 Administration Fee*

*\$25 AlcoholEdu*

*\$25 Substance Abuse Subtle Screening Inventory (SASSI evaluation)*

*\$50 Fee for Alcohol Edu and SASSI evaluation*

*\$100 Advanced Alcohol Education class*

### **8. Disciplinary Probation**

Disciplinary probation is a trial period during which a student must behave in a manner acceptable to the University. Under the status of disciplinary probation, a student is encouraged to seek advice and counsel from appropriate University offices. Conditions of probation may be set forth which restrict the student's participation in extracurricular activities and campus employment, which require a student to perform University or community service, or which require other specified activities. Disciplinary probation status may affect qualifications of some awards, prizes, or financial aid, particularly those stipulating conduct acceptable to the University. Violation of the terms of probation or of a further incident of misconduct while on probation may result in separation from the University for not less than one full academic semester. The Assistant Director for Student Judicial Affairs or his/her designee serves as the liaison with students who have been placed on probation.

### **9. Loss of Privilege**

Loss of privilege is the withdrawal of a privilege or use of a service for a specific period of time consistent with the offense committed and the education of the student. Loss of privilege may be imposed separately or in addition to any other sanction(s).

### **10. Termination of Recognition**

An order terminating University recognition of a registered student organization for a specific or indefinite period of time.

### **11. Disciplinary Suspension**

Disciplinary suspension is an action which excludes the student from registration, class attendance, residence in University-arranged housing, and use of University facilities for no more than two consecutive semesters. The privilege of the use of University facilities is withdrawn by this action unless specific permission is obtained from the Assistant Director for Student Judicial Affairs. In unusual circumstances (when the presence of the student on campus is deemed to be acceptable) a University suspension action decided after the eighth week of the semester may be deferred until the end of the semester by the Assistant Director for Student Judicial Affairs. Upon termination of the period of suspension the student will be considered for registration in compliance with admission standards then in effect. Violation of misconduct after the student is readmitted will result in an additional suspension period or dismissal or expulsion. Failure to observe the terms and conditions of suspension may cause the extension of the suspension period or further disciplinary action upon readmission. Deferred Suspension may be assigned in certain circumstances. This sanction is a suspension which is held in abeyance pending specified behavioral performance.

### **12. Disciplinary Dismissal**

Disciplinary dismissal is the withdrawal of the privilege of registration, class attendance, and residence in University arranged housing with no promise, implied or otherwise, that the student may return at any future time. The privilege of the use of University facilities is withdrawn by this action.

A student on disciplinary dismissal may be readmitted only by action of the President of the University. A student who has been dismissed is not eligible for readmission sooner than one calendar year from the

academic semester that the dismissal is applied. If the student is readmitted, a further violation of misconduct shall result in expulsion.

### **13. Disciplinary Expulsion**

Disciplinary expulsion is the permanent loss of the privilege of registration, class attendance, or in University-arranged housing. The privilege of the use of University facilities is also withdrawn by this action.

### **14. Liaison/Registration Holds**

The Assistant Director for Student Judicial Affairs or his/her designee is the liaison with students who have been separated from the University and is responsible for informing the student of the procedure for reinstatement. The Assistant Director for Student Judicial Affairs has the authority to place holds from further registration by students with appropriate legal and procedural safeguards.

### **15. Residential Summary**

#### **Suspension/Move to Temporary Housing**

In certain circumstances, the Director of Residence Life or their designee in consultation with the Assistant Director for Student Judicial Affairs or their designee, has the authority to summarily suspend a student from all residential communities or move the student to temporary housing pending a hearing. A student may be summarily suspended from all residential communities or moved to temporary housing to ensure the safety and well-being of members and/or property of The University of Toledo, ensure the student's own physical or emotional safety and wellbeing, or protect the community if the student poses a definite threat to the normal operations of the University or the residential facilities on campus. Any student found in violation of Section 13 of the Student Code of Conduct, having a weapon on campus or in our residence halls, will automatically lose their privilege to reside in on-campus housing permanently and may be either suspended, dismissed or expelled from The University of Toledo.

#### **C. Summary Suspension**

In the case of special circumstances described in this section, a student or group of students may be summarily suspended pending a hearing before the University Discipline Appeals Board. This authority will be exercised only in those situations in which there is reasonable cause to believe that a student's behavior is of such a nature as to pose an immediate and clear threat of harm to persons and/or damage to property or reasonable cause to believe that a significant obstruction to the operation of the University exists if the student remains on campus. Such acts of misconduct include, but are not limited to, any act of violence that causes physical harm to another, assault with any type of weapon or instrument whether or not physical harm results, gross sexual misconduct, rape, armed robbery, arson, or any other acts which endanger persons or property or any acts which cause a significant obstruction or disruption of normal University operations. To invoke summary suspension the Assistant Director for Student Judicial Affairs receives the incident/police report. The Director of Student Judicial Affairs and Greek Life will consult with the Chief of Campus Police and other parties relevant to the investigation. Upon completion of the investigation, the Director of Student Judicial Affairs and Greek Life will make a recommendation to the Vice President for the Student Experience or his/her designee under whose authority a decision to invoke summary suspension will be made. If the decision is to invoke summary suspension, it is effective immediately and the student involved will be notified as expeditiously as possible. Summary suspension requires that the student(s) remove him/her/themselves from the University premises until such time as a hearing before the University Discipline Appeals Board is conducted. Failure to comply with the terms of the summary suspension may result in additional University action. The hearing will be held within a reasonable amount of time and conducted in compliance with the hearing procedures outlined in Section V A6-9. Should the hearing result in a finding that the student(s) did not commit the act(s) for which he/she was suspended, the suspension will be revoked and the student(s) reinstated without additional penalty. A finding of "responsibility" will result in such disciplinary action as may be appropriate.

#### **D. Appeals**

1. A student may file an appeal to a university discipline appeals board from the findings of the University Student Judicial Board or from a decision of the Assistant Director for Student Judicial Affairs or his/her designee.
2. A student may request an appeal on one or more of the following grounds: The student has been deprived of rights as defined herein. The facts appear to be insufficient to establish guilt using the more likely than not standard. The sanction(s) imposed by the judicial body of original jurisdiction was not justified by the nature of the offense. There is new evidence that was not known or unavailable at the time of the hearing.

3. In all cases unless waived, a detailed, written appeal must be submitted within 72 hours after notification of the sanction. The appeal must be in writing and submitted to the Assistant Director for Student Judicial Affairs. The Assistant Director for Student Judicial Affairs is responsible for forwarding the written appeal to the appropriate board or University official.
4. The appropriate board or University official will review the written appeal and other written submissions as requested. The purpose of this review is to assess whether or not a hearing is necessary.
5. When the appropriate Board hears an appeal, both the student and the Assistant Director for Student Judicial Affairs or his/her designee will be given the opportunity to present their respective positions. The Board will, within 24 hours of the close of the hearing, render a decision and inform the Assistant Director for Student Judicial Affairs or his/her designee, who will notify the student of the Board's decision.
6. An appeal is limited to review of the initial hearing and supporting documents for one or more of the following purposes: To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures, giving the complaining party a reasonable opportunity to prepare and present. To determine whether the complaining party had a reasonable opportunity to prepare and present evidence of a violation of the Student Code of Conduct and/or whether the accused student had a reasonable opportunity to respond to the allegations. To determine whether the decision reached regarding the accused student was based on the weight of the evidence, that is, whether the facts in the case demonstrated that it was more likely than not that a violation of the Student Code of Conduct occurred. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct which the student was found to have committed. To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing. In this circumstance, the Board may set the original decision aside and reassign the case to the judicial body of original jurisdiction or conduct a new hearing.
7. The University Discipline Appeals Board may affirm, reduce, or reverse a decision of the judicial body of original jurisdiction. For any other action, the Board must remand the case to the judicial body of original jurisdiction.
8. The decision of the University Discipline Appeals Board is final.
9. In cases of Summary Suspension or when faculty initiate the disciplinary action, the University Discipline Appeals Board serves as the judicial body of original jurisdiction, appeals will be made to the Vice President for the Student Experience. An appeal to the Vice President for The Student Experience shall be governed in accordance with Article V, Section D.
10. The decision of the Vice President for the Student Experience is final.

## **E. Cancellation of University Housing**

### **Contracts**

The University of Toledo Office of Residence Life may at anytime cancel a student(s) housing contract for violations of the terms defined within the contract. This action is separate from the Student Judicial Process. However, during a judicial hearing, the student may receive the sanction of "Loss of Privilege" which could require the loss of the privilege to reside in University-arranged housing.

### **Article VI: Mediation Service**

The Director of Student Judicial Affairs and Greek Life or his/her designee may serve to mediate disputes in the student community — student organizations, individual students, etc. All parties involved in a dispute must agree to mediation by the Director of Student Judicial Affairs and Greek Life or his/her designee. This agreement obligates the parties to meet together with the Director of Student Judicial Affairs and Greek Life or his/her designee on at least one occasion to attempt resolution. The Director of Student Judicial Affairs and Greek Life or his/her designee will enforce any resolution reached by the parties.

### **Article VII: Interpretation and Revision**

- A. Any question of interpretation regarding the Student Code of Conduct shall be referred to the Assistant Director for Student Judicial Affairs or the Associate Vice President / Dean of Students.
- B. The Student Code shall be reviewed yearly under the direction of the Office of Dean of Students.

C. Recommendations for change will be submitted in writing to the Vice President for the Student Experience for final review.

#### **Article VIII: Academic Dishonesty**

##### **A. Undergraduate Students**

Academic dishonesty, including, but not limited to, cheating and plagiarism is a violation of acceptable standards of behavior and a violation of the Student Code of Conduct. Cases of alleged academic dishonesty shall be resolved at the departmental, college, or graduate level in accordance with procedures printed in the University catalogue or printed in departmental, college, or graduate school publications. The accused student has the right to request that the case be reviewed by the Student Grievance Council (See Student Handbook Academic Grievances Section). College of Law cases are dealt with under the College of Law Honor Code.

##### **B. Graduate Students – Academic**

###### **Dishonesty Appeal Procedures**

In cases that involve academic dishonesty, including, but not limited to, cheating and plagiarism, the student may appeal the violation and/or sanction imposed by the professor by filing a written statement of the specific grounds for appeal with the Associate Dean of the Graduate School, with copies to the Dean of the College, the Chair of the Department in which the alleged violation occurred and the professor who found the violation. The Associate Dean of the Graduate School shall call the Committee on Academic Standing into session to hear the appeal no later than thirty (30) days after receipt of the written appeal. A quorum of one-half of the members of the Committee must be present to hear the appeal. Any member of the Committee must be present to hear the appeal. Any member of the Committee who has firsthand knowledge of the alleged violation will be excused from the hearing panel. The student shall be given a minimum of seven (7) days written notice of the date, time and place of hearing. He or she is entitled to have counsel present for advisory purposes only; the appeal will be presented by the student, who shall have the burden of establishing that the charge of dishonesty is without factual basis. He or she may call witnesses on their behalf and may question witnesses of the University. Likewise, the faculty member who is presenting the Charge may question witnesses testifying on the student's behalf. The Committee may question any witness and request relevant documentation which is not otherwise provided. At the conclusion of the hearing or within fourteen (14) days thereafter, the Committee shall issue its decision and state the grounds therefore. Both the student and faculty member shall receive a copy of the decision, and a copy should be lodged with the Associate Dean of the Graduate School. If either the student or faculty member believes the decision was a result of procedural error, he or she may appeal, in writing to the Vice President for Graduate Studies, Research and Economic Development within ten (10) days of receiving the Committee's decision. If no appeal is taken, the Committee's decision is final and will be implemented by the Dean of the Graduate School. If an appeal is timely presented to the Dean of the Graduate School, he or she shall review all documentation and proceedings from the prior hearing solely for procedural error and either affirm or reverse the Committee's decision or remand the decision to the Committee for the purpose of obtaining further relevant evidence. The Vice President's decision, which shall be issued within fourteen (14) days of receipt of the decision from the Committee on Academic Standing and his/her decision, shall be final. In cases where the charge is misconduct in research the University policy and procedure for scientific misconduct shall apply.

##### **C. Law School – Code of Student**

###### **Professional Conduct**

The College of Law Code of Student

Professional Conduct applies to all disciplinary proceedings involving students enrolled in the College of Law (see Appendix A).

## **6. Due Process for the Student Athlete**

### **A. Rights and Responsibilities of the Student Athlete**

There are two classifications of student-athletes at The University of Toledo: those who receive a financial grant-in-aid and those who do not. This document concerns the rights and responsibilities of student-athletes in both classifications. Where there is a divergence between the rights and/or responsibilities of members of these groups, the document will so state explicitly. Every student who participates in intercollegiate athletics becomes thereby a member of a team. By accepting the privilege of team membership, the student athlete accepts the following special responsibilities in addition to the student's

regular responsibilities as a student. Every student athlete living on campus is responsible for the rules and regulations that pertain to the Housing and Food Service. The rules are found in the University of Toledo's Residence Hall Living Guide, The McComas Village Living Guide and/or The University of Toledo Student Handbook.

### **1. Discipline (Athletic)**

- a. The athlete is subject to the athletic disciplinary training rules pertaining to the athlete's particular sport as established by the Department of Intercollegiate Athletics. Training rules and other regulations and the possible penalties should not be so detailed that there is no room for consideration of circumstances under which infractions occur. There must be enough flexibility that player and coach can resolve a problem without either being put in a position too rigid for accommodation.
- b. The Student must participate in practice and games except when ill or otherwise incapacitated or in any other way unable to participate through no fault of the student. If sick or injured, the student must have written verification from the Athletic Department's Medical staff.
- c. The student athlete must abide by the policy of the Department of Intercollegiate Athletics establishing uniformity of dress except as specified in C, Academic Activities of the Student Athlete.
- d. The student athlete must obey the decisions of the coaches regarding behavior on road trips, since the conduct of the team members is the responsibility of the accompanying coaching staff at these times.
- e. In keeping with training rules relative to the consumption of alcohol, the student athlete is bound by his/her coach's policies.

### **2. Discipline (Academic)**

The student athlete is subject to the rules for academic eligibility.

### **3. Personal Conduct in Public**

The student athlete is a public figure and the student's conduct is public while traveling with the athletic team or explicitly on behalf of the University or while dressed for or participating in a sporting event or practice. As a student, the athlete has no special responsibilities in terms of public roles outside these areas, nor is the athlete considered a representative of the University except at these times; and the athlete must be so informed by the Athletic Director. However, attendance at training sessions must take precedence over non-athletic extracurricular meetings and events. Exceptions are at the discretion of the coach.

### **4. Grants-in-Aid**

A student athlete who attends The University of Toledo under an athletic grant-in-aid enters an agreement based on the athlete's signing a Letter of Intent. This agreement is in the nature of a contract between the institution and the student-athlete, and it commits the student to abide by A.1 to A.3.

## **B. Grant-in-Aid Regulations**

1. All institutional financial aid to student athletes must be reviewed by the Financial Aid authority of the University.
2. All athletes receiving aid must sign (or have a legal guardian sign) two documents reviewed by the Financial Aid authority: the Letter of Intent and the Conditions of Aid Tender which stipulate the nature of the aid, period of receipt, and any terms that might govern renewal or gradation of this aid. This aid cannot be awarded in excess of one year. The prospect must be informed that renewal will not be automatic. (NCAA bylaw 15.3.3.1.1)
3. Institutional financial aid based in any degree on athletic ability may be reduced or canceled during the period of the award if the recipient:
  - a. Renders himself or herself ineligible for intercollegiate competition; or
  - b. Fraudulently misrepresents any information on an application, letter of intent or financial aid agreement.
  - c. Engages in serious misconduct warranting substantial disciplinary penalty.
  - d. Voluntarily withdraws from a sport at any time for personal reasons; however, the recipient's financial aid may not be awarded to another student-athlete in the term in which the aid was reduced or canceled. (NCAA Bylaw 15.3.4.3)
4. Institution financial aid based in any degree on athletics ability may not be increased, decreased or canceled during the period of its award:
  - a. On the basis of a student's athletics ability, performance or contribution to a team's success; or
  - b. Because of an injury that prevents the recipient from participating in athletics; or
  - c. For any other athletic reason.

#### 5. Athletically Related Condition Prohibition —

An institution may not set forth an athletically related condition (e.g. financial aid contingent upon specified performance or playing a specific position) that would permit the institution to reduce or cancel the student-athlete's financial aid during the period of the award if the conditions are not satisfied.

6. Decrease Not Permitted — An institution may not decrease a student-athlete's financial aid from the time the student-athlete signs the financial aid award letter until the conclusion of the period set forth in the financial aid agreement, except under the conditions set forth in NCAA Bylaw 15.3.4.1 and 15.3.4.3

### **C. Academic Activities of the Student Athlete**

The University of Toledo does not consider the student-athlete merely as an athlete.

Furthermore, the University contends that the major purpose for any student-athlete's attendance at the University should be to pursue the student's education. Therefore, the University maintains a strict distinction between athletic and other institutional discipline. Because of the interest of the Department of Athletics in the general welfare and academic progress of its student athlete, the Department has identified an academic advisor for Athletics who is responsible for monitoring the academic progress of all student-athletes, the establish communication and cooperation with the academic community.

### **D. Procedures for Redress of Grievances**

#### **1. Academic Grievances**

If the student-athlete alleges a violation of student rights not specified in this document, the student may seek redress through the provisions of the Joint Statement on Rights and Freedoms of Students. (See Academic Grievance Procedure and Administrative Grievance Procedure in the Student Handbook.)

#### **2. Athletic Grievances**

##### **a. Appeal to Coach.**

If the student-athlete protests a suspension as described in C above, or the student alleges any other violation of student rights as specified in this document, the student must have a conference with the coach.

**b. Appeal to Athletic Director.** If no agreement is reached between the coach and the student-athlete, the two parties must meet with the Athletic Director or his/her designee within five working days of the meeting with the coach.

##### **c. Appeal to the Athletic Review Panel of the Student Grievance Council.**

If no agreement is reached in the meeting with the Athletic Director or designee any of the three parties may submit the issue to the Athletic Review Panel.

##### 1) Composition of the Athletic Review Panel.

The athletic Review Panel shall consist of two full-time faculty members, two full-time students, one member-at large, and two non-voting advisors.

2) Selection of Voting Members. The two faculty members and the two student members of the Athletic Review Panel shall be identified at the beginning of each year by the chair of the Student Grievance Council and be chosen from the membership of the Council. The fifth voting member shall be appointed by the Vice President for Student Life. This member is the member-at-large; the member shall be chosen from the faculty or student body and is not to be directly involved in the University athletic program.

3) Selection of Non-Voting Members. One nonvoting member each shall be elected by the Athletic Department and the student-athletes.

4) Annual Selection. Any changes in membership of the Athletic Review Panel shall be considered and made at the beginning of the fall academic term by the appointing agencies.

No limit is placed on term of membership.

5) Vacancies. Any vacancy shall be filled by the body requiring new representation.

6) Initial Meeting. The initial meeting of the

Panel each year shall be convened by the chair of the Student Grievance Council. The first order of business shall be the election by the Panel of the Panel chair.

7) Review Procedures:

a) *Complaint.* A person who wishes to appeal to the Athletic Review Panel shall, within five days after the meeting with the Athletic Director or a designee, file a signed complaint with the Chair of the Panel. Exceptions to this deadline are at the discretion of the Panel.

b) *Contents of the Complaint* shall set for the description of the facts pertinent to the issue.

c) *Processing the complaint.* The Chair shall convene the Panel within 72 hours of receiving a written complaint. If the Panel decides not to consider the complaint, the Chair shall notify the complainant in writing, specifying the reasons for the Panel's decision. If the Panel decides to consider the complaint, the Chair shall prepare a Statement of Grievances. The Statement of Grievances shall include the name of the complainant or complainants; the name of the person or persons accused; a description of the conduct alleged to have constituted a violation, including its date, time and place, if available, and the name of any witnesses known to the chair at the time the Statement of Grievances is prepared. One copy of the Statement of Grievances shall be forwarded to the person accused, the complainant and the Athletic Director.

d) *Hearing Date.* The Chair shall, in each case, set the matter for hearing within five days of the decision to consider the grievance.

e) *Notice of Hearing.* The chair shall notify in writing each person involved of the date and place of the hearing.

f) *Proceedings.* The Panel may adopt such rules, as it deems necessary to conduct its proceedings in conformity with the Joint Statement on Rights and Freedoms of Students. All hearings and other proceedings of the Panel shall be closed unless the Panel directs that any proceeding or portion thereof be opened. Formal rules of evidence and procedure shall not apply to any proceeding.

g) *Witnesses.* Any person to whom the Chair of the Panel directs a copy of the Notice of Hearing shall consider it an order to appear and testify.

h) *Source Documents.* The Panel must reach its decision in accordance with the following documents: The Joint Statement on Rights and Freedoms of Students, NCAA and MAC Code (when not in conflict with University rulings), rulings made in this document, and any other policy document of the University.

i) *Ruling.* After presentation of evidence, the Panel shall deliberate in private and each member shall vote to sustain or reject the charges brought in the complaint. The charges shall be sustained whenever a majority of the voting members of the Panel concur in a vote to sustain. Otherwise, the charges shall be rejected. If the complainant is under a suspension and the majority of the Panel sustain the student's complaint; the suspension is immediately terminated.

j) *Opinion of the Panel.* In every case the Panel shall prepare a written majority opinion, including any appropriate recommendation. A minority opinion may be prepared as well. One copy of which opinion, which is prepared, shall be placed in the files of the Panel, one copy shall be sent to each person involved, and one copy shall be sent to the President.

k) *Appeal to the President* Any disputant in the proceeding may appeal to the President of the University. The President shall review all appeals presented and shall administer the recommended penalty unless the President determines that a lesser sanction is appropriate, in which case the President shall administer the lesser sanction and notify the Chair of the Panel in writing of the President's action and reasons therefore. One copy of the President's decision and explanation shall be placed in the files of the Panel, one copy shall be sent to each person involved, and one copy shall be sent to the Public Information Office. Any member of the University community may examine the copy, which is sent to the Public Information Office, upon request.

## **7. Student Grievance Council**

The student grievance council, a University committee appointed by the president, is charged with protecting students' rights of freedom of expression and other rights in the classroom and against improper academic evaluation and improper disclosure (see 3360- 30-01 (C) Joint statement on rights and freedom of students). It does this by investigating and seeking to resolve academic grievances of individual students and by reporting to the Faculty Senate if any problem appears to require more than case-by-case action.

## **8. Academic Grievance Procedure**

A. To initiate resolution of an academic grievance, the student shall discuss the problem with the faculty member who the student believes has taken improper action. If resolution is not achieved, the student shall discuss the problem with the chairperson of the faculty member's department. If resolution is still not achieved, the student may, if the student wishes, seek informal counsel from the President of Student Government and shall then discuss the problem with the dean of the college or the college representative responsible for dealing with student academic grievances. If resolution is not achieved at the college level, the student shall file a grievance petition with the chair of the Student Grievance Council, as described in Section B. The student should discuss the student's grievance with the faculty member

promptly, unless the student is enrolled in the faculty member's course and believes it prudent to approach the faculty member only after receiving a course grade. In any case, if the occasion for grievance occurs during the fall semester, a grievance petition must be filed with the chair of the Student Grievance Council no later than the last day of classes in the next semester; if the occasion for grievance occurs during the spring semester, a grievance petition must be filed no later than the last day of classes in the final summer session, if the occasion for grievance occurs during a summer session, a grievance petition must be filed no later than the last day of classes in the fall semester. If either the student or the faculty member is a nonresident at the University during the semester in which a grievance petition must be filed and initial discussion between them is thus impossible, the student shall transmit a written statement of the grievance to the faculty member, either directly or through the chair of the faculty member's department. Such written statement shall have the same form as the grievance petition describe in Section B and be subject to the same deadlines. To protect the faculty member and the student, it is crucial that tests, papers, and other such material (which were evaluated and were considered in arriving at the final grade but have not been returned to the student) be available for inspection by the student and by other persons (i.e., the department chair, the college dean or representative, and the Student Grievance Council) involved in the grievance procedure. These materials should remain available for inspection until the last day of classes of the semester following the one in which the alleged grievance has occurred. Exceptions should be made for spring and summer semesters as provided for above. It is of course understood that all written materials submitted by the student in the course should be graded and made available to the student for inspection within a reasonable amount of time following their submission. Since student evaluation includes the process by which a final grade is determined as well as the grades assigned to individual projects, a procedure similar to the one that applies to written materials submitted by the student should apply to calculations that enter into the determination of a final grade. Presumably the grade book or its equivalent is a permanent record kept by the faculty member and filed in the department office with the faculty member leaves the University. This permanent record, however, does not necessarily make clear the nature of the process by which the final grade is determined. It is therefore necessary for the faculty member to be able to explain this process, should the process by which a grade was assigned be the subject of the grievance.

B. An aggrieved student shall prepare, alone or with assistance from the president of Student Government, a written grievance petition with the student's name and Social Security number, specifying the action that the student believes to have been improper, the instructor, the course number, the section, and semester, and any other information needed to explain the circumstances. The petition shall be dated and signed by the student and sent, either directly or through the president of Student Government, to the chair of the Student Grievance Council. The petition may be supplemented by other documents and/or personal testimony.

C. The chair of the Student Grievance Council shall supply copies of the grievance petition to members of the Council, the faculty member whose action the student has questioned, the chair of the faculty member's department, and the dean of the college. Any member of the Council who has a conflict of interest in a particular case shall be disqualified from Council deliberations and action on that case. The Faculty Senate has provided for the selection of an alternate faculty member and an alternate student member to serve in the absence of regular members.

D. The Council shall request the faculty member to reply to the Council within a ten-school-day period with a written statement concerning the action referred to in the grievance petition. The statement may be supplemented by other documents and/or personal testimony. If the grievance refers to a course grade, the instructor should explain the components of the evaluation and their relative weight, supplying evidence such as papers and examinations if possible.

E. After an initial meeting to review the information presented, the Student Grievance Council may ask the faculty member and/or the student to meet with the Council for a confidential hearing. The Council may request testimony of other faculty and students. The chairperson of the Student Grievance Council shall make a formal recommendation, copies of which shall be sent to the student who filed the grievance, the faculty member, the chairperson of the faculty member's department, and the dean of the college.

F. If the Council's recommendation includes a request for action by the faculty member, the faculty member shall, within a ten-school-day period, inform the Student Grievance Council in writing of his response to that request. The chair of the Council shall forward copies of the faculty member's response to each of the persons listed in Section E above. If the faculty member does not implement the

recommendations of the Student Grievance Council, the chair shall direct the Senior Vice President for Academic Affairs to do so.

## **9. Grade Appeal Procedure for Graduate Students**

An academic grade appeal is one in which a graduate student disputes a particular grade. Appeals dealing with academic dishonesty, including, but not limited to, cheating and plagiarism, are explicitly exempt from this process and shall be dealt with under the Academic Dishonestly Appeal Procedure. The following procedure is to be used to arrive at a resolution of the grievance. The academic grade appeal must be initiated within the semester following receipt of the contested grade. If a resolution is not reached at a given step of the procedure, the graduate student or the faculty member may proceed to the next level by filing an appeal in writing within fourteen (14) days of receipt of the last decision rendered. At step 1, the student will attempt to resolve the issue by discussing the grounds for the appeal, first with the faculty member. If no resolution can be reached, the student may appeal in writing within seven (7) days, to the chair of the faculty member's department. Either the student or the faculty member may provide the Department Chair with additional relevant information. The Department Chair is to issue his/her determination within fourteen (14) days of receiving the written appeal. If no resolution is reached at this level, the student may appeal to the College Dean who shall review all relevant documentation and may interview the student and faculty member involved. The Dean may request a recommendation from the appropriate College committee. If no resolution can be reached within fourteen (14) day of the receipt of the appeal, the Dean is to issue his decision, which may be appeal by either the student or the faculty member to the Associate Dean of Graduate Students, who shall review all relevant information and, if appropriate, interview the student or faculty member before recommending a resolution. At the fourth level of appeal, the Academic Stand Committee of the Graduate Council will review all documentation and may permit the student and faculty member to make an oral presentation or their respective positions. The Committee will then render a final decision within fourteen (14) days based upon all evidence presented. The student presenting the appeal may have counsel present at the oral presentation but solely in an advisory capacity.

### **Steps of the Academic Grade Appeal:**

1. Discuss the grade with the instructor involved. If no mutually agreeable resolution can be achieved, either party may present in writing his/her position to the chair of the department.
2. If the problem is not resolved at the department level, either party may appeal in writing to the dean of the college.
3. If mutual resolution cannot be reached at the College Dean's level, either party may present the grade dispute to the Associate Dean of the Graduate School.
4. The Associate Dean's decision may be appealed to the Committee on Academic Standing of the Graduate Council and its decision shall be binding on all parties. This step completes the appeal process. The decision of the Academic Standing Committee will be communicated to the Graduate School, the student, and the faculty member and will be implemented by the Dean of the Graduate School.

## **10. Administrative Grievance Procedure**

A. This general procedure is applicable only to those administrative actions for which no special grievance procedure has been established. Special procedures have been established for certain academic, disciplinary, athletic and employment related matters, among others. Students desiring to appeal actions or procedures of University administrative offices may do so as follows:

1. Discuss the concern with the administrator involved.
  2. If satisfaction is not received, the student may appeal to the office director or supervisor of the administrator involved.
  3. The appropriate vice president and, finally, the president of the University are available for further appeal of administrative grievances, if necessary.
- B. The appeal must follow the University administrative hierarchy as shown in the organization chart. Questions relating to the operation of this procedure should be directed to the Office of the Dean of Students.

## **11. Policy on Alcoholic Beverages**

The following policy applies to both on campus and to University sponsored activities, including field trips, athletic contests played off campus and conferences attended by students, faculty and staff where the University reimburses travel expenses or registration fees.

## **A. Introduction**

The University of Toledo prohibits the use of alcohol which is inconsistent with state, local or University regulations. It is the goal of The University of Toledo to establish and sustain an environment on campus that is conducive to the intellectual, emotional, and social growth of all the members of its community. The University is committed to the preservation of individual freedoms and the promotion of the health, safety, and welfare of the community. Pursuant to these commitments, The University of Toledo has established the following policy governing the possession, sale and consumption of alcoholic beverages on the University's campuses. It is the University's goal through these policies and programs, to encourage members of its community to make responsible decisions and to promote safe, legal, and healthy patterns of social interaction. The University regulations are consistent with the laws of the state of Ohio as stated in the Ohio Revised Code. It is the responsibility of each student, staff, and faculty member to familiarize himself or herself with the appropriate sections of the Ohio Revised Code and the provisions of this policy and to conduct one's self in a responsible manner.

### **The Ohio Revised Code includes the following statements:**

1. It is unlawful for a person under 21 years of age to purchase, consume, possess or transport any intoxicating liquor.
2. It is unlawful to knowingly and falsely misrepresent one's age to obtain alcoholic beverages or to represent that another is of legal age for such purpose.
3. It is unlawful to have in one's possession in a public place an open container of beer or intoxicating liquor.
4. It is unlawful to consume any beer or intoxicating liquor in a motor vehicle. State law further mandates that no person shall furnish or buy or contribute money to the purchase of alcohol for an underage drinker; and it is illegal to use false identification or provide false identification in the purchase of alcoholic beverages. These laws are contained in Chapter 4301 of the Ohio Revised Code. The complete text of the state liquor laws and administrative regulations may be obtained from the department of campus police or the department of liquor control or see appendix A. The University permits alcoholic beverages on campus as part of the operation of licensed university facilities and for some social events. The University deplors misuse and abuse of alcohol. Alcohol consumption will not be considered an excuse for misconduct. Violation of University policies may result in disciplinary action. In addition, such matters may be reported by the University to appropriate law enforcement authorities. Violators will be subject to penalties which may include separation from the University or mandatory referral for treatment. It is the position of the University that alcohol use will not be promoted. Consistent with this position, the University will neither solicit nor accept any form of alcoholic beverage advertising or sponsorship for any University publication or in/ on any University operated facility or property. At events at which alcohol is served and in university facilities in which it is served, operators and event sponsors are responsible for complying with the laws of the state of Ohio, ordinances of the city of Toledo, and all policies of The University of Toledo. The Vice President for Student Life or designee is responsible for administering the University alcohol policy. The Vice President for Student Life or a designee will approve, in advance, all events, in licensed facilities or events held on/in unlicensed university premises, at which alcohol is served and, if deemed necessary, impose additional conditions and restrictions on a sponsoring organization and on events. The sponsoring organization will be prepared to provide, in writing, information pertaining to the purpose of the activity, number of participants, location, and whether the activity is public or private.

## **B. Facilities**

Policies and procedures for specific University facilities may be in place. Such facilities include but are not limited to residence halls, the McComas Village, Student Union and Student Center, Driscoll Alumni Center, Savage Hall, SeaGate Centre, the Glass Bowl, and the University Club. Such policies must be consistent with the University policy.

## **C. Events**

The use of alcohol at events held on The University of Toledo campuses is governed by the following regulations:

1. University funds may not be used to purchase alcoholic beverages.
2. Alcoholic beverages will not be served free of charge at a campus event unless the event is approved in advance in writing by the Vice President or a designee and the event is otherwise permitted by University policy.

3. Unless otherwise approved in writing in advance by the Vice President for the Student Experience or a designee, alcoholic beverages must be sold by University dining services which is a licensed, insured vendor.
4. The sponsoring organization, department, or approved user of facilities will oversee adherence to the alcohol policy, assume responsibility for the event and control and supervise the distribution of alcoholic beverages in accordance with all applicable laws, rules, and policies.
5. Institutionally approved security must be present at all times during an event unless determined by the chief of University police to be unnecessary.
6. No one under the age of 21 is permitted to possess, serve, or consume any alcoholic beverage. At any event where alcoholic beverages are served and/or sold, approval for the event will be based upon the age of the event participants as well as the nature of the event. For example, an event at which the majority of participants are under the age of 21 will not have alcoholic beverages available for consumption. However, a designated, physically defined, monitored area may be utilized for those of age if approved in advance.
7. All sale/use of alcoholic beverages on University property will be monitored by and subject to inspection by University officials.
8. Although no person will possess or be served alcoholic beverages without proof of legal age, state law permits any individual 18 years or over to sell alcohol in a closed container, 19 years or older to serve an open container of alcohol and anyone over 21 to tend bar.
9. Events where alcoholic beverages are used, served and/or sold shall not have alcohol or the consumption of alcohol as a theme. No element of an event where alcohol will be used, served, and/or sold shall encourage, in any manner, the consumption of alcohol. No event where alcohol is used, served, and/or sold shall be sponsored, in any manner, by an alcohol manufacturer, distributor, or retailer.
10. Use of alcoholic beverages must not be detrimental to the environment or to health and safety.
11. No servers of alcohol may be permitted to consume alcoholic beverages while serving nor shall they be permitted to serve while intoxicated. Intoxicated people will not be served nor permitted to possess alcoholic beverages.
12. At all events where alcohol is used, served, and/or sold, non-alcoholic beverages and unsalted foods must be made available in quantity sufficient for the number of guests. All food should be visible and available.
13. No advertising for events where alcohol is used, served, and/or sold shall refer to alcohol in any manner other than "Legal Beverages Available" or "Beer Available." Advertising for "F" permit events cannot include the sale price of alcoholic beverages nor can it refer to the price advantage or amount available.
14. Alcoholic beverages are not permitted to be sold or used prior to noon. For an event lasting three hours or more, sale or service must stop forty-five minutes prior to the end of the event. At no time may the sale/service of alcohol last more than three consecutive hours.
15. Drinking containers for alcoholic beverages will not exceed the following: Beer - twelve ounces in volume Wine - six ounces in volume Liquor - one ounce in volume.
16. The minimum charge for twelve ounces of beer will be \$1.00. A lower price will be charged for the same amount of non-alcoholic beverage. Other alcoholic beverages should be priced so as not to promote excessive consumption.
17. Under no circumstances may any alcoholic beverage be permitted to leave the approved area of the event. No alcoholic beverages may be brought into the event by an individual when alcoholic beverages are being served, and/or sold by event organizers.
18. Outdoor concerts In addition to the above, the following will hold for outdoor concerts:
  - a. The area in which the concert is held must be defined by physical barriers (e.g., a snow fence).
  - b. Bottles, cans, kegs, etc., may not be brought into the concert area and/or beer serving area.
  - c. The sale of alcoholic beverages or tickets for alcoholic beverages must end no less than sixty (60) minutes before the end of the concert. If tickets are sold, the redemption of tickets and distribution of such beverages must end no less than forty-five (45) minutes before the scheduled end of the concert.
19. Student organizations considering sponsoring events at which alcohol is sold must, before taking action, consult with the appropriate administrative offices (Dean of Student's Office, Residence Life Office, Facilities Office, Student Union/Center, etc.) and abide by the relevant administrative decisions and University regulations. Alcohol/punch-type parties (e.g., hairy buffaloes, drinks made with

“Everclear”), beer bong and party bong are prohibited. All required University permits and events forms must be submitted to appropriate University officials no later than ten days before the event.

## **Appendix A**

Appropriate federal, state, and local laws and sanctions The following is a description of the applicable legal sanctions under the federal, state, and local law for the under federal, state, and local law for the unlawful possession, use, or distribution of illicit drugs and alcohol, as of November 2000.

### **Federal law**

Federal law prohibits the trafficking and illegal possession of controlled substances as outlined in 21 United States Code, Sections 811 and 844. Depending on the amount, first offense maximum penalties for trafficking marijuana range from five years' imprisonment and a fine of \$250,000 to imprisonment for life and a fine of \$4 million. Again, depending on the amount, first offense maximum penalties for trafficking class I and class II controlled substances (Methamphetamine, Heroin, Cocaine, Cocaine Base, PCP, LSD, Fentanyl and Fentanyl Analogue) range from five years' to life imprisonment and maximum fines ranging from \$2 to \$4 million. First offense penalties and sanctions for the illegal possession of a controlled substance range from up to one year in prison and a fine of at least \$1,000 but not more than \$250,000, or both.

### **State law**

*Ohio Revised Code (O.R.C.) Section 4301.63 provides that no person under the age of twenty-one years shall purchase beer or intoxicating liquor*

. PENALTY FOR VIOLATION: A fine of not less than \$25 or no more than \$100 may be imposed. The court may order that the fine be paid by the performance of public work at a reasonable hourly rate established by the court and shall designate the time within which the public work shall be completed.

*O.R.C. Section 4301.632 provides that no person under the age of twenty-one years shall order, pay for, share the cost of, or attempt to purchase any beer or intoxicating liquor or consume any beer or intoxicating liquor in any public or private place.*

PENALTY FOR VIOLATION: Violation of O.R.C. Section 4310.632 is a misdemeanor of the first degree. The maximum penalty is imprisonment for not more than six months and a \$1,000 fine. *O.R.C. Section 4301.633 provides that no person shall knowingly furnish any false information as to the name, age, or other identification of any person under twenty-one years of age for the purpose of obtaining or with the intent to obtain beer or intoxicating liquor for a person under twenty-one years of age, by purchase or as a gift.*

PENALTY FOR VIOLATION: Violation of the O.R.C. Section 4301.633 is a misdemeanor of the first degree. The maximum penalty is imprisonment for not more than six months and a \$1,000 fine. *O.R.C. Section 4301.634 provides that no person under the age of twenty-one years shall knowingly show or give false information concerning his name, age, or other identification for the purpose of purchasing or otherwise obtaining beer or intoxicating liquor in any place in this state where beer or intoxicating liquor is sold under permit issued by the department of liquor control or sold directly by the department of liquor control.*

PENALTY FOR VIOLATION: Violation of O.R.C. Section 4301.634 is a misdemeanor of the first degree. The maximum penalty is imprisonment for not more than six months and a \$1,000 fine. *O.R.C. Section 4301.64 prohibits the consumption of any beer or intoxicating liquor in a motor vehicle.*

PENALTY FOR VIOLATION: Violation of O.R.C. Section 4301.64 is a misdemeanor of the fourth degree. The maximum penalty is imprisonment for not more than 30 days and a \$250 fine. *O.R.C. Section 4301.69(A) prohibits selling beer or intoxicating liquor to a person under the age of twenty-one years, or buying it for or furnishing it to such a person.*

PENALTY FOR VIOLATION: Violation of O.R.C. 45 Section 4301.69(A) is a misdemeanor of the first degree. The maximum penalty is imprisonment for not more than six months and a \$1,000 fine. *O.R.C. Section 4360.69(E) provides that no underage person shall knowingly possess or consume any beer or intoxicating liquor, in any public or private place, unless he is accompanied by a parent, spouse, or legal guardian, who is not an underage person, or unless the beer or intoxicating liquor is given for medical or religious purposes.*

PENALTY FOR VIOLATION: Violation of O.R.C. Section 4301.69(E) is a misdemeanor of the first degree. The maximum penalty is imprisonment for not more than six months and a \$1,000 fine. *O.R.C. Section 4511.19 prohibits any person from driving a motor vehicle while under the influence of alcohol and/or drugs.*

PENALTY FOR VIOLATION: Violation of O.R.C. Section 4511.19 is a misdemeanor of the first degree. The maximum penalty is imprisonment for not more than six months and a \$1,000 fine, in addition to license suspension or revocation as provided in Section 4507.16. Penalties for repeat offenders are found in O.R.C. 4511.99. *O.R.C. Section 2925.11 prohibits any person from knowingly obtaining, possessing, or using a controlled substance.*

**PENALTY FOR VIOLATION:** Violation of this statute is drug abuse, which may be a misdemeanor or a felony depending on the specific criteria set forth in Section 2925.11(C). The maximum penalty is imprisonment for not more than sixty days and a fine of not more than \$500. Under the maximum penalty (felony in the third degree) the minimum term of imprisonment shall be two years and the maximum term shall be ten years. The penalty also includes a fine of not more than \$5,000.

### **Local Laws**

The City of Toledo enforces all state criminal statutes cited above. In addition, the City of Toledo General Offenses Code lists some additional sanctions for drug and alcohol use.

509.03 Disorderly Conduct; Intoxication

513.05 Permitting drug abuse

513.13 Counterfeit controlled substances

513.03 Drug Abuse; controlled substance possession or use

513.04 Possessing drug abuse instruments

513.14 Possession, manufacture and sale of drug paraphernalia

## **12. Alcohol and Substance Abuse**

### **A. Alcohol and drug abuse policy statement**

The University of Toledo is committed to promoting and maintaining a work and academic environment that is free from illegal use of alcohol and drug use/abuse, in accordance with all federal, state, and local laws as well as the federal drug free schools and campus regulations. The use of alcohol and illicit drugs also poses a health threat to members of the University community (see appendix A).

### **B. Standards of conduct/violations**

The University of Toledo prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or part of any of its activities. Employees, students, and campus visitors age 21 years or older, consuming alcohol at University functions or while on University business where such use is approved, are expected to use alcohol responsibly and not engage in illegal, unprofessional or disruptive behavior. When there has been a violation of the standards of conduct, the University initiates appropriate measure which may include disciplinary action. Such action may result in sanctions up to and including suspension or separation from the University. Violations may be reported by the university to appropriate law enforcement authorities. Those referred to law enforcement authorities are subject to prosecution (see 3360- 30-11 "Policy on alcoholic beverages" appendix A for description of local, state, and federal laws).

### **C. University services for treatment and referral**

Students, faculty and administrators who violate this policy or encounter difficulties with alcohol and/or drugs shall be informed about, and referred to, resources available on campus through the University counseling center or student health services (see appendix B).

### **D. Annual policy distribution**

The overall responsibility for the annual policy distribution resides with the Vice President for the Student Experience. At minimum, there will be a written annual policy distribution directed to all students, faculty and staff which will include:

1. University standards of conduct regarding alcohol and drug use;
2. A list of applicable sanctions under federal, state and local laws for unlawful drug and alcohol use;
3. A description of health risks associated with use and abuse;
4. A list of drug and alcohol counseling, treatment, rehabilitation, or re-entry programs that are available.
5. A clear statement that disciplinary action will be taken for violations of University standards.

### **E. Review of The University of Toledo's alcohol and drug prevention program**

Every two years, advisory committee will review its alcohol and drug abuse prevention program to determine its effectiveness, implement changes, and ensure that sanctions are consistently enforced.

## **Appendix A**

### **Health Risks**

#### **Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses impairs judgment and coordination, and increases the incidence of aggressive behavior. Very high doses can cause

respiratory depression and death. Alcohol intoxication is equivalent to a drug overdose. Repeated use of alcohol can lead to a change in tolerance and dependence. Cessation of alcohol intake can produce withdrawal symptoms including tremors, hallucinations, convulsions, and death. Long term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and the liver. Women who drink even small amounts of alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Children of alcoholic parents have a 40 percent greater risk of developing alcoholism than those children of non-alcoholic parents.

### **Cannabis**

The mood-altering effects of marijuana are the result of a chemical delta-9 tetrahydrocannabinol (THC). THC is fat-soluble and remains in the body up to three weeks after smoking one marijuana cigarette. Consequently, even the occasional user can be detected through urinalysis. Research indicates that regular use may have long-term effects of the user's brain, heart, and reproductive organs. The numerous carcinogenic chemicals found in marijuana smoke make it particularly harmful to the lungs.

### **Depressants**

The use of depressants can result in a change in tolerance and physical, as well as psychological, dependency. The combining of several depressants (e.g., valium and alcohol) will potentate the depressant effects multiplying the health hazards. Withdrawal symptoms include anxiety, vomiting, acute psychotic episodes, seizures, and death.

### **Stimulants**

High doses of stimulant drugs result in intense personality disturbances including visual and auditory hallucinations, delusions, and paranoia. Tolerance develops rapidly. Cross-tolerance does develop among stimulant drugs (e.g., methamphetamine and cocaine). The use of cocaine can cause death by cardiac arrest or respiratory failure. Stimulants are addictive and while withdrawal from stimulants is less dangerous than with depressants, depression can make a person vulnerable to suicide.

### **Narcotics**

Tolerance, especially to the euphoric effects of narcotics, and physical dependence develops rapidly. In order to avoid the abstinence syndrome, the addict becomes preoccupied with acquiring the drug. Withdrawal symptoms are extremely uncomfortable; however, they are seldom life threatening.

### **Hallucinogens**

Phencyclidine (PCP). Large doses of PCP may result in convulsive seizure, coma, and death. Mood disorders occur and the user may become violent, irrational, and potentially harmful to self and others. Lysergic acid (LSD), mescaline, and psilocybin cause sensations and feelings to change rapidly. The user may experience panic,

confusion, anxiety, depersonalization, and loss of control. While relatively rare, flashbacks, the spontaneous reappearance of the drug experience after use has ceased, may occur.

### **Anabolic-Androgenic Steroids**

Steroid users can experience serious cardiovascular, liver, central nervous system, gastrointestinal, and reproductive disorders. In males, use can result in testicular atrophy, sterility, impotence, and arrested growth. Irreversible masculinization and sterility can result when women use steroids. Psychological impairments include mood swings, depression, and very aggressive behavior.

### **Warning Signs**

- A dramatic drop in grades
- A major change in friends and peer groups
- Significant mood swings
- Extravagant tastes on a tight budget
- Indifference to personal hygiene and environment
- Daydreams a lot
- Others mention their concern and notice the change
- Long-term relationships begin to suffer
- Phone calls at odd hours
- Unexplained and long absences
- Sudden, constant lack of money

## **Appendix B**

### **University Services for Treatment and Referral**

Resource information (booklets, brochures, pamphlets, videos, etc.) regarding health and safety concerns related to substance abuse and/or abuse and information regarding campus and community services is available through a variety of university services, including:

- The Student Medical Center
- The Counseling Center
- Campus Police
- Interfaith Center
- Human Resources

#### **Drug and Alcohol Counseling, Treatment, Rehabilitation /Re-entry Programs**

- Alcoholics Anonymous — Self-help group for alcoholics. No fee.
- Al-Anon-Alateen — Self-help group for persons who are close to an alcoholic. No fee.
- Rescue Crisis — 24-hour emergency hotline
- First Call for Help — For referral and information about self-help groups
- COMPASS, Inc. — Substance abuse treatment, detoxification, and after care. Sliding fee scheduled based on ability to pay.
- Harbor Behavioral Healthcare — Diagnostic assessment, counseling, medical, and education services. Sliding fee scheduled based on ability to pay.
- Narcotics Anonymous — Self-help group for drug addicts. No fee.
- SASI — Information, group counseling, individual treatment of substance abusers. Sliding fee schedule.
- Toledo Hospital Alcohol/Drug — Free assessments. Treatment center for substance abusers. After care.
- Compass — Treatment center for substance abusers.
- Urban Minority Alcoholism and Drug Abuse Outreach Program — Prevention, intervention, and replace prevention program targeted for minorities. No fee.

### **13. Health Service**

#### **A. Withdrawal/Drop from the University for Medical Reasons**

Students requesting consideration for a Medical Withdrawal should contact the University of Toledo Health Service. The student must notify the Health Service within ten (10) days from the onset of absence from school. Students should consult with their instructor(s) prior to requesting a Medical Withdrawal.

**The purpose of this policy is to assist students who wish to drop or withdraw from classes for medical reasons.**

1. A Medical Drop/Withdrawal request from students will be granted in the event of catastrophic/serious illnesses, injuries, or conditions that seriously impair and/or incapacitate the student, and the student's ability to attend classes. Approved medical drops/withdrawals will be at the sole discretion and judgment of the Chief of Medicine at the Student Medical Center, and when fitting, in consultation with appropriate college dean. To maintain the student's confidentiality, a release of information form will be obtained from the student prior to the Student Medical Center contacting the college dean.
2. Students are advised to contact the Student Medical Center within ten (10) calendar days from the onset of the condition, which necessitates absence from class. Requests will be considered up through the last day of classes within the semester in question.
3. Relevant information is needed in order to process a request for a Medical Drop/Withdrawal. Each applicant will be given the necessary forms which request demographic information and clinical documentation such as the date of the onset of illness or injury, diagnosis, hospitalization dates, treatment received and the prognosis.
4. Following thorough review of this documentation, a recommendation will be made and the student will be notified by mail within three (3) days concerning the decision. Appropriate University offices will be notified by the Student Medical Center in cases of approval, i.e. Registrar's office and College Dean. Please note that an approved medical drop/withdrawal will affect all of the student's grades. Completed nodular/flex classes (8 week sessions) if completed will not be affected.
5. Students for whom the date of onset occurs during the first 15 calendar days of the semester term will be eligible for a 90% refund. After the 15th calendar day of the semester and up until the end of the tenth (10) week, a 60% refund will be granted for any approved medical drop. No refund in tuition will be

granted for a date of onset beyond the tenth week. Note: Refund requests for financial aid recipients will be granted on a case-by-case basis depending upon financial aid stipulations.

6. If a Medical Drop/Withdrawal is approved, reenrollment to The University of Toledo must be approved by the Chief of Medicine, prior to registering for subsequent classes. It is requested that the student contact the Student Medical Center at minimum one week prior to registration. The following documentation is required from the student's attending physician or psychiatrist:

- Any limitations or restrictions imposed on the student
- Date which student may resume classes

*Note: The Chief of Medicine may request further evaluation of the student's condition prior to making a re-enrollment decision.*

7. In the event of a denied medical drop, the student may appeal within seven calendar days of the date of denial to the Director of the Student Health Services. A review committee consisting of the Student Health Services' Director, Chief of Medicine, and counseling Coordinator, a representative from the Dean of Students, and a member of the college dean's office will meet and a recommendation will be made. The student will be contacted of the appeal decision within 20 calendar days of the request.

## **B. Mandatory Health Insurance**

1. All students registered for 6 or more on campus credit hours per term or international students registered for 1 or more credit hours per term will be assessed the Mandatory Student Health Insurance fee.

2. Premiums will be assessed each term unless waived by or on the last day of add/drop for the term.

3. Failure to pay or waive may result in deregistration from classes.

4. International students must provide proof of insurance at the Student Medical Center Insurance Office.

5. All other students must waive each term online via the Health Insurance Waiver form found on Web for Students.

## **C. Health Service Emergency Care**

1. In the event of emergencies after Health Service hours, transportation will be provided by Campus Police Department for residence hall students to the nearest hospital.

2. Payment of fees for hospital care, ambulance services and x-rays are the responsibility of the student.

## **22. University Policy on Sexual Assault**

A. The University of Toledo will not tolerate sexual assault of any kind. Sexual assault can include any form of actual or attempted sexual activity perpetrated upon a person without the consent of that person and against that person's will.

B. Sexual assault can include rape, sexual battery, gross sexual imposition, and sexual imposition. These are criminal offenses defined by the Ohio Revised Code, Sections 2902.02, 2907.03, 2907.05 and 2907.06, violation of which may subject the accused to criminal charges in the state of Ohio.

C. In addition, such activities are a direct violation of the University's student code of conduct. When there is cause for The University of Toledo to believe a violation of this kind has occurred, disciplinary action will be pursued. Such disciplinary action can include suspension or dismissal from The University of Toledo.

D. The University is committed to educating its students, faculty and staff about sexual assault awareness, prevention and intervention. The University is also committed to providing a quality response to sexually assaulted students, including respect for the student's confidentiality, choices, and the seriousness of the crime. Referrals will be made and ongoing support will be offered to students disclosing a sexual assault. To protect their privacy and to encourage reporting of crimes, the University will make efforts to maintain confidentiality regarding the name of the person assaulted, both internally and with regard to the general public.

## **23. University Policy on Sexual Harassment**

### **A. Introduction**

The University of Toledo affirms its commitment to provide equal opportunity in education and employment. To fulfill this commitment, the University must maintain an environment in which individuals are evaluated and regarded solely on the basis of ability, prior experience and accomplishments, effort and performance. The environment must also be one in which all employees and students can pursue their work free from humiliation, coercion, or intimidation.

Sexual harassment is a form of discriminatory misconduct that violates Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, and Chapter 4112 of the Ohio Revised Code. Sexually harassing conduct by any member or non-member of the University community while on University premises or in any activity affiliated with the University will not be tolerated. Retaliation against any complainant or participant in a formal or informal investigation under this policy will not be tolerated. Sexual harassment, as defined in this document, or failure to carry out responsibilities specified in this document, may result in disciplinary action, up to and including separation from the University. Specific disciplinary procedures are set forth in collective bargaining agreements, in the Policies and Procedures Manual of the Board of Trustees, and in the Student Code of Conduct. The University is committed to fair treatment of students, faculty, staff and other persons in the University community. No one will be sanctioned for violation of the University's Sexual Harassment Policy without a thorough and impartial investigation and an opportunity to present evidence and argument in defense or mitigation.

## **B. Definition**

For the purposes of this policy, sexual harassment shall be defined as unwelcome sexual advances, requests, gestures, or physical conduct of a sexual nature, when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of employment or status or academic progress in a course, program, or activity.
2. An individual's submission to or rejection of such conduct is used as a basis for an academic or employment decision affecting the individual; or
3. Such conduct, in intent or effect, creates an objectively hostile or abusive educational or work environment as perceived by a reasonable person. Whether such conduct is sufficiently severe or pervasive to create a hostile or abusive environment will be determined on a case by case basis, looking at all of the circumstances from the perspective of a reasonable person under same or similar conditions.

## **C. Examples**

Examples of conduct prohibited by this policy include, but are not limited to:

1. Persistent, unwelcome flirtation, advances, and/or propositions of a sexual nature;
2. Repeated insults, humor, jokes, and/or anecdotes that belittle or demean an individuals or a groups gender or sexuality;
3. Repeated, unwelcome comments of a sexual nature about an individual's body or clothing;
4. Unwarranted displays of sexually suggestive objects or pictures that are inappropriate to the academic context;
5. Unnecessary touching, such as patting, pinching, hugging or repeated brushing against an individual's body;
6. Suggestions that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual's employment, work assignments, or status, salary, academic standing, grades, receipt of financial aid, or letters of recommendation.
7. Sexual Assault.

## **D. Consensual Relationships**

Consensual sexual relationships between faculty and students or between supervisors and supervised cause special concerns with respect to the existence or appearance of exploitation, abuse of position, or favoritism. In such cases, apparent mutual consent does not preclude initiation of a sexual harassment complaint or a finding of sexual harassment.

## **E. Responsibilities**

All members of the University community are responsible for ensuring that their conduct does not sexually harass any other member of the University community. This same responsibility extends to employees of third parties doing business with the University or on University premises and to campus visitors. In administrators, supervisors, or faculty received a complaint of sexual harassment, or obtain other information indicating that sexual harassment is occurring, they must act promptly to ensure the information is conveyed to the Office of Affirmative Action.

## **24. Sexual Harassment Complaint Resolution Procedure**

The University of Toledo provides a means to assure prompt consideration to any employee, applicant for employment, student, applicant for admission, or any other person, including visitors, who feel offended by some conduct in the University which he/she believes constitutes sexual harassment. The investigation of such complaints will be managed with appropriate confidentiality and sensitivity. The

Director of Affirmative Action is the principal University officer responsible for receipt and investigation of discrimination and sexual harassment complaints. In addition, Appendix A lists the University's Sexual Harassment Special Advisors. The list consists of staff and faculty who have completed the comprehensive sexual harassment special advisor training program. These special advisors are available to assist students and employees, in a confidential setting, concerning sexual harassment. Anyone who wishes to complain of sexual harassment should contact one of these persons or the Director of Affirmative Action. The following procedures are designed to provide an internal process for the handling of complaints involving claims of sexual harassment. It shall be the policy of the University to treat all investigations under these procedures as personnel matters requiring the strictest confidence. The complainant may choose to proceed by formal or informal process.

## **A. Information Process for investigating and resolving complaints of sexual harassment.**

1. **Inquiry.** Complainant(s) are encouraged to pursue a complaint as soon as possible but must do so no later than the end of the academic term following the term in which the complainant first became aware of the event giving rise to the complaint. Once submitted, the case must be resolved or referred for formal review within thirty (30) working days of filing. This procedure is designed to facilitate resolution of disputes expeditiously at the informal stage. However, a complaint need not be submitted and review through the informal process prior to initiation of the formal process.

2. **Where to submit a complaint.** Informal complaints shall be made to the Office of Affirmative Action or to one of the specially trained Sexual Harassment Special Advisors, identified in the list published annually by the Office of Affirmative Action.

### **3. Process.**

a. The Director of Affirmative Action shall appoint one of the Sexual Harassment Special Advisors to conduct the informal process. The Advisor shall notify the respondent(s) promptly of the complaint. The Advisor shall conduct an investigation and may hold meetings with all parties jointly or separately. The Advisor shall help the parties to understand sexual harassment standards and complaint procedures. The Advisor will obtain relevant information and evidence; and may reach an agreement on the informal resolution of the complaint. These cases will be handled with the greatest amount of sensitivity and confidentiality.

b. Complaints should be processed informally within thirty (30) working days of receipt of the complaint. Informal resolution may consist of an agreement as to future conduct between the parties, schedule modification, sensitivity training, etc.

c. If the informal process does not result in resolution, the complainant(s) and respondent(s) shall be notified and the case referred to the Director of Affirmative Action for further action.

## **B. Formal Process**

### **1. When to file:**

a. **Formal Process Chosen Initially by Complainant.** If the complainant chooses to proceed initially by the Formal Process, the complainant shall file the complaint with the Director of Affirmative Action no later than the end of the term following the term during which the complainant first became aware of the events giving rise to the complaint. The Director shall notify the respondent(s) promptly.

b. **Formal Process after Unsuccessful Resolution of Informal Process.** Following receipt of notice that the informal process has been unsuccessful, if the complainant wishes to pursue a formal complaint, the complainant, no later than ten (10) working days following the date of notification, must file a written complaint with the Director of Affirmative Action.

2. **Selection of the Hearing Officer:** The Director of Affirmative Action shall maintain a list of full time faculty and staff willing to serve on a Sexual Harassment Review Committee (SHRC). The Director shall determine nine (9) candidates from the list using a random selection process and supply their names to the complainant and respondent, who will strike three names each. The remaining three candidates will serve on the SHRC and select from their number one member to serve as the Hearing Office. The selection process shall be completed in ten (10) working days from receipt of the formal complaint by the Director of Affirmative Action, absent special circumstances, which have been approved by the Director of Affirmative Action upon written request.

3. The Hearing Officer is responsible for ensuring that all parties are afforded a full and fair hearing. The respondent(s) will be provided a copy of the complaint. The role of the Director of Affirmative Action is to

ensure that the review process proceeds in a timely and proper manner and that the SHRC is provided with the appropriate support, guidance, and training.

4. Within ten (10) working days of notification of the appointment of a Hearing Office, the complainant(s) and the respondent(s) shall each appoint a member of the University community to serve as their representative on the SHRC (for a total of five [5] members) and shall so notify the Hearing Officer in writing. If there is more than one complainant or respondent, a majority vote of the complainants and /or respondents shall determine the selection of panel members.

5. The SHRC will attempt to complete its review of the complaint within thirty (30) working days of the date that SHRC membership has been determined. The Director of Affirmative Action may grant one extension of up to thirty (30) additional working days. This review may take the form of investigator interviews, hearing(s), or other such methods as deemed appropriate by the SHRC. Both the respondent(s) and complainant(s) will be notified in writing of the date that the SHRC has completed its review.

6. The SHRC shall be empowered to gather all pertinent information and shall conduct hearing or investigator interviews as necessary. All hearings shall be closed, but the complainant(s) and respondent(s) each shall be permitted to bring one representative of their choosing to any interviews or meetings. If the SHRC determines that a witness presence is unnecessary or unduly inconvenient, it may obtain the sworn written statement of that witness.

7. No person involved in an earlier stage of the review of the case may serve on the SHRC panel for the same case.

8. The Hearing Office will rule on all matters of procedure and admissibility of evidence, the Ohio Rules of Evidence shall not apply. Any members of the SHRC not concurring with a ruling of the Chair may request an Executive Session of the Committee for debate on the ruling. If differences remain, a majority vote of the SHRC shall prevail.

9. No transcript shall be made of hearing sessions. A report of findings, recommendations, and conclusions will constitute the formal record.

10. The SHRC shall find a violation of this policy if, based on the totality of the circumstances, it is convinced by the preponderance of the evidence that harassment has occurred. All findings, recommendations, and conclusions by the SHRC shall be based solely on the information gathered within the formal process. A majority vote of the committee shall determine the final recommendation. A minority opinion may be included in the report.

11. At the conclusion of the process, the SHRC shall make a written report to the President.

*It may include the following:*

- a. A recommendation accepting the parties' negotiated resolution;
- b. A recommendation that the complaint be dismissed for invalid or insufficient evidence;
- c. A finding that a violation of the University's Sexual Harassment Policy has occurred and a recommended sanction including, but not limited to:

- 1) Counseling;
- 2) Reprimand (either oral or written);
- 3) Reassignment of job responsibilities;
- 4) Probation;
- 5) Suspension without compensation; or
- 6) Removal for cause (termination)

In all cases, the sanctions imposed upon those found to have violated the University's Sexual Harassment Policy shall be commensurate with the nature of the offense.

12. Within ten (10) working days of completion of the Review, the Hearing Officer shall forward to the President, complainant(s), respondent(s), and the Director of Affirmative Action a written report of the SHRC's findings and recommendations.

13. Within ten (10) working days of the receipt of the SHRC's initial report, the President (or designee) shall notify all parties to the dispute in writing of the President's decision and specify what actions, if any, shall be taken.

14. Any discipline imposed may be appealed through the procedure provided under the appropriate University policy or applicable union contract.

## **C. Retaliation**

1. No individual involved in the process shall suffer retaliation as a result of such participation. Retaliation exists when action is taken against a complainant, or participant in the complaint process which affects his or her academic or employment status and which is motivated in whole or in part by their participation in the process. Retaliation may be found even if the underlying complaint of harassment is found to have no merit. Complaints of retaliation may be filed either during the course of an investigation or following conclusion of the process.

2. The guarantee against retaliation shall not preclude disciplinary action by the University against a complainant who knowingly files a false complaint or a complainant, respondent, or witness who knowingly gives false testimony or knowingly presents fabricated evidence.

## **D. File**

The Director of Affirmative Action shall create and maintain a file on each complaint received, which shall be confidential to the extent permitted by law. All information, including records and correspondence, will be secured by the Director of Affirmative Action. On an annual basis, the Director of Affirmative Action will survey the complaints filed to analyze any trends, repetitive problem areas, and the need for directed training.

## **E. Procedure Review**

These procedures shall be evaluated annually by the Director of Affirmative Action. If changes are deemed necessary, the Director of Affirmative Action will seek Faculty Senate involvement in any recommended changes.

### **1. Informational Investigation Process:**

Process of inquiry leading to a mutually acceptable unrecorded agreement between the complainant and the respondent.

**2. Complainant(s):** Any member of The University of Toledo community, applicant or visitor who alleges sexual harassment.

**3. Working Days:** Days when classes are in session.

**4. Respondent(s):** Any member of The University of Toledo community against whom an allegation of sexual harassment is made.

**5. Formal Process:** Process of inquiry ending in a written recommendation to the President.

**6. End of Term:** Last day of the examination period for a given term.

## **Policies not Approved by the Board of Trustees**

### **1. Computer Usage Policy**

As a user of The University of Toledo's shared computing facilities, you have certain responsibilities to other users, to the University, and to third parties, such as owners and suppliers of computer programs and data. Although there have been few incidents of reported abuse, we are informing you of the responsibilities and related rules and law accompanying your use of the computer. Every user of The University of Toledo's computer system is required to have a valid computer account before using our shared computing resources. Unauthorized use (for example, by theft or misappropriation) of a computer account is a criminal act, subject to prosecution as a misdemeanor or felony. It is also cause for suspension or termination from University status as a student or employee. This agreement covers your responsibilities to use the account only for the authorized purposes for which it is intended and to respect the rights of others. These two areas of responsibility are clearly related. For example, an unauthorized use such as an attempt to alter the system's control programs could result in system failure. This would deprive other users of the ability to do their work and cause an unrecoverable loss of valuable computer time. An attempt to circumvent the data set protection facilities might result in the violation of a right to privacy, the copyrights of an academic author, or the property rights of the owner or a third party such as a software provider. Other activities that are illegal or against University rules include altering or destroying data or programs belonging to other, copying material covered under the copyright laws for other than fair use, and disclosing programs owned by others and supplied to the University under trade secret and contract law. The University and law enforcement agencies investigate reports of these activities, and perpetrators are prosecuted under the law, under University judicial processes, or both. These rules and regulations are for your protection. Your continued compliance insures the availability of computing resources to the University community. Computer Services reserves the right to refuse or withdraw computer services at any time due to conditions which may warrant such action. Any abuse, misuse, or unauthorized access to computer system(s), or any other failure of good behavior will not be

tolerated. Any of the foregoing will be considered cause for instigation or procedures for dismissal, suspension, removal, and/or criminal prosecution.

## **2. Non-Discrimination Policy**

The University of Toledo is committed to a policy of equal opportunity in education, employment, membership and contract, and no differentiation will be made based on race, color, religion, sex, age, national origin, sexual orientation, veteran's status, or the presence of a disability. The University will take Affirmative Actions as required by federal or state law.