

University of Dayton

Code of Conduct

2026-2027

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The Code of Conduct is part of the University of Dayton Student Handbook. The handbook can be found online at go.udayton.edu/studenthandbook. The University of Dayton reserves the right, in its discretion, to make changes to this Code of Conduct and Student Handbook as it deems appropriate.

MISSION

In support of the University mission to educate the whole person, the Office of Community Standards and Civility's purpose and mission is to maintain a campus environment that is conducive to learning, protects the University's educational mission and community, maintains reasonable order, and assists in the development of each student or student organization/group within the conduct system. The Standards of Behavior and Code of Conduct are applicable to all students and student organizations/groups, regardless of where a violation may occur.

STANDARDS OF BEHAVIOR

The Standards of Behavior for all University of Dayton students have been developed in consultation with students, faculty, and staff to support the development of the student community in ways that exemplify the University's Catholic and Marianist Values. It is expected that all students work to support the University's academic mission, have their actions contribute to the common good, demonstrate value and dignity to all people, take action to respect the safety, health and wellbeing of themselves and others, and share in the Commitment to Community that makes a University of Dayton graduate distinctive. The University is a vibrant learning and living environment where the following standards of behavior clarify our common goals.

A. Support of the Academic Mission

All students at the University of Dayton are expected to live and work in support of the academic mission. The Marianist tradition of education includes the whole person—spirit, mind, and body—connecting liberal and professional education by integrating learning and living in community.

B. Commitment to Community Living

An authentic community requires maturity, commitment, consideration of others, and hard work. An individual's actions reflect their values, character, and ethics. University of Dayton students strive to exemplify behavior supporting the development of communities around them.

C. Value for the Dignity of Every Person

We are called to not only respect ourselves and others but also to love ourselves and all people, because all people are made in the image and likeness of God. University of Dayton students respect the value and dignity of themselves and others in all they do.

D. The Common Good

The common good is “the sum total of social conditions, which allow people, either as groups or individuals, to reach their fulfillment more fully and more easily.” University of Dayton students make individual choices in light of how they affect other people and the community, and they work to change social structures that inhibit others from reaching their fulfillment.

For a deeper understanding of these standards, refer to the University [Mission Statement](#) and the [Commitment to Community](#).

STUDENT CONDUCT SYSTEM



The Student Conduct System starts with a Report, the matter proceeds through one of three pathways: No Action Taken, the Formal Resolution Process, or the Informal Resolution Process.

Within the Formal Resolution Process, the matter is addressed through one of four proceedings: a Behavioral Resolution Meeting, an Accountability Hearing, an In Absentia Resolution, or a No Contest Resolution. Each proceeding results in a finding of Responsible or Not Responsible, followed by a determination of Outcomes. A student or student organization/group may pursue an Appeal following the determination of Outcomes.

Within the Informal Resolution Process, the matter is addressed through Adaptive Resolution, which concludes in Outcomes/Resolved, or through Diversion Programs, which conclude in a status of Resolved.

EXPECTATIONS

The Student Conduct System at the University of Dayton is a process for addressing allegations of violations of the Standards of Behavior and Code of Conduct. The system provides fundamental fairness to all parties concerning allegations of misconduct and encourages students to take responsibility for themselves and their community by adhering to the following:

- The Standards of Behavior and Code of Conduct apply to individual students as well as student organizations/groups.
- All students are expected to be open, forthright, and honest when participating in the student conduct process.
- Embodiment of the Standards of Behavior is an expectation of every student and is critical to the campus community. Support of the Academic Mission, individual commitment to an authentic community, treating others in the image and likeness of God, and making choices in light of how those choices affect others, sets the stage of expectation for all students at all times, particularly in a stressful situation (such as being involved in the Student Conduct Process).
- Student organizations/groups are accountable to the Standards of Behavior and Code of Conduct. Student Organizations/Student Groups, whether recognized by the University or not, are expected to host activities that exemplify the Student Standards of Behavior and to discourage violations by individual members.

A Note for Parents/Legal Guardians and Support Persons

- We view families as our partners at the University of Dayton; however, because of federal privacy laws, we cannot share your student's conduct records with you unless they sign a waiver. We encourage students to keep their families informed of any involvement they may have with the student conduct process.
- The University reserves the right to notify parents and/or legal guardians of any drug or underage alcohol violations, as is stipulated in the [University Policy on Disclosure of Student Records](#) and the Family Educational Rights and Privacy Act of 1974 (FERPA).

FOUNDATION

The Student Conduct System is rooted in four key University documents. This system is informed by national standards in the field of college student conduct administration. It also conforms to local, state, and federal laws and embraces the University Statement of Dignity. These University documents are as follows:

1. The [University Mission Statement](#)
2. The [Commitment to Community](#)

3. The [Mission of the Division of Student Development](#)
4. The [Mission of the Office of Community Standards and Civility](#) (CS&C)

The key concepts in these founding documents include an understanding of the common good, the integration of learning and living, the value and dignity of every person, the education of the whole person, the pursuit of academic achievement, fundamental fairness, the expectations of civility and legal responsibility, and the development of character and accountability at a community level.

AUTHORITY, JURISDICTION, AND PROCESS RULES

Authority

The Office of Community Standards and Civility has the overall responsibility for the implementation and administration of the Student Code of Conduct and the Student Conduct System, as directed by the Vice President for Student Development & Chief Student Experience Officer and Associate Vice President for Student Development and Dean of Students or their designee. The Vice President (or the Vice President's designee) holds the ultimate authority over the Student Conduct System and, as such, can exercise discretion in functions that include but are not limited to:

- Taking Interim Action.
- Adapting processes, updating and/or altering procedures and/or policies, particularly when a matter, incident or factors are unprecedented; egregious; pose a significant risk or danger to campus, self or others; or reasonably indicate that the student (particularly a first-year student) is not able to responsibly participate in campus life.
- Undertaking steps to defer or delay the release of the student's degree and/or impose other consequences until resolution of the disciplinary process, when a student scheduled to graduate engages in behavior following completion of academic requirements that may violate the Code of Conduct.
- Determining the severity or egregiousness of a case.

Jurisdiction

The University has jurisdiction over possible violations of the Code of Conduct by any student, student organization and or student group, regardless of where an incident occurs (on or off campus). The Code and System apply to all students (pre-enrolled, undergraduate, graduate, and law students).

Definition of a Student

For the purposes of the Code of Conduct, the term "student" includes all persons:

- Enrolled in, auditing, or participating in one or more courses or credit/non-credit programs at the University of Dayton, whether full-time or part-time, undergraduate, graduate, professional, or continuing education, and regardless of instructional modality (e.g., in-person, online, hybrid, study abroad);
- Who have accepted an offer of admission and are actively registered for coursework, regardless of academic career. This includes registered students attending pre-enrollment programs, orientation sessions, academic advising, or course-related workshops;
- Not officially enrolled for a particular term but who maintain a continuing academic relationship with the University (such as those on an approved leave of absence, or those eligible to register for courses without reapplying). Generally, an individual retains a continuing relationship for up to three consecutive consecutive semesters (excluding summer terms) from the last semester of attendance; or
- Who withdrew, canceled enrollment, or graduated after allegedly committing behavior that may have violated the Code, provided where the misconduct occurred while the individual met any of the definitions of a student listed above.

An individual who has been suspended from the University is not considered an active student; however, they remain subject to the jurisdiction of the Student Conduct Code and all applicable University policies throughout the duration of their suspension. Consequently, any behavior during the suspension period that violates the Student Conduct Code will constitute a failure to meet the conditions of return and will likely result in an extension of the suspension.

Criminal Charges

A student accused of committing a criminal offense may face criminal charges in addition to violations of the University's Code of Conduct concurrently. The University may, at its discretion, move forward with the conduct process before criminal proceedings conclude.

Legal Representation

Students are not permitted to have lawyers/attorneys participate in the Student Conduct System. This does not preclude a student from seeking legal advice. Instead, it prevents the lawyer's interaction or observation of an educational process. The manner of participation for lawyers/attorneys in the Nondiscrimination and Anti-Harassment Policy/Equity Complaint Process can be found online at go.udayton.edu/nondiscrimination.

Interim Actions

In cases where the incident is of a dangerous nature or where the reported behavior grossly contradicts the community's value system, as expressed in the Student Standards of Behavior and Code of Conduct, the case may be immediately referred to the Office of the Vice President for Student Development & Chief Student Experience Officer, the Dean of Students or their designees for action. The Vice President for Student Development & Chief Student Experience

Officer and the Dean of Students have the authority to issue Interim Action that would take place prior to the Student Conduct Process and would contain specific measures—up to and including an Interim Suspension. In cases where an Interim Action has been taken, the accused student or organization/group will continue through the Student Conduct System until a final determination has been made. Students will be notified in writing of any Interim Actions taken. Failure to abide by the Interim Action will result in additional disciplinary actions. In cases where a former student is documented in the campus area or at a campus event for egregious or concerning behavior, the offending party will be required to resolve the matter, should they choose to return to the University at any point in the future as a visitor or student; further, in certain circumstances where a student withdraws while a conduct or other investigatory matter is pending, that student may be barred from returning to campus in the future. Note that the “Campus Area” falls primarily within the north/south borders of Irving and Wyoming Avenues and the east/west borders of Brown Street and Woodland Cemetery, as defined by the Mutual Aid Agreement between the City of Dayton and the University of Dayton. This includes University-owned or controlled properties, including, but not limited to, those on Brown Street (Fitz Hall), Irving Avenue, Edwin C. Moses Boulevard (arena and athletic areas), Patterson Boulevard (Daniel P. Curran Place), Old River Park, Stewart Street, and portions of the Arcade in downtown Dayton.

**This does not include youth or teen programs that occur prior to, or outside of, the traditional enrollment process through the Office of Enrollment Management.*

END-OF-TERM AND OTHER TIMELINE CHANGES

In cases where the incident occurs during the last 30 days of the academic semester, the University reserves the right to abbreviate the timeline in an attempt to resolve the case before the end of the term. Other timeline changes may be made in the event any emergency or other situation impacts the University’s ordinary operations. In these cases, the student will be notified of any changes made regarding deadlines.

RESPONDING STUDENT RIGHTS

Students accused of possible violations of the Code of Conduct have the following rights:

- To fully participate in the process, share their perspective, and respond to all information considered in the decision-making process.
- To receive written notice of the allegations, including an allegation statement and the policies they are alleged to have violated.
- To receive written notification of the final decision and any resulting outcomes through their University email account.

- To submit a written account of the incident and any supporting documentation for consideration.
- To privacy regarding their disciplinary case, consistent with the Family Educational Rights and Privacy Act (FERPA) and other applicable laws and University policies.
- To inspect and review their disciplinary file to the extent permitted by applicable federal and state laws.
- To respond to the allegations or decline to provide a statement. Decisions regarding responsibility will be based on the information available. The University will not infer responsibility solely because a Responding student chooses not to provide a statement; however, the Responding student should be aware that choosing not to respond or participate will impact the information available as a finding is reached.
- To be presumed not responsible for violating University policy unless responsibility is established by a preponderance of the evidence or accepted by the responding student.
- To request reasonable accommodations related to a disability through the Office of Learning Resources.
- To appeal a decision rendered by a Resolution Officer or the University Hearing Board in accordance with the procedures outlined in the Appeal Process.
- To have one support person accompany them to any meeting or hearing throughout the conduct process.
 - A support person may be any individual of the student's choosing, such as a parent or guardian, friend, or trusted faculty or staff member. The support person is present solely to provide support throughout the process. A support person may not serve as an attorney or legal representative, speak on behalf of a student, question witnesses, or otherwise participate directly in meetings or hearings. If a support person disrupts or interferes with the process, at the discretion of University personnel, they may be asked to leave and may no longer be permitted to serve in that role.

EXCEPTIONS/VARIATIONS OF STUDENT RIGHTS

For details on the rights for respondents and complainants in cases of potential violations of the Nondiscrimination and Anti-harassment policy, including sexual harassment, visit any University web page and use the link at the bottom titled “Nondiscrimination” or visit go.udayton.edu/nondiscrimination.

Additionally, general student conduct cases involving student organizations/groups are managed using the [Student Organization/Group](#) section of the Student Conduct System found within this document.

SPECIAL CIRCUMSTANCES AND OPERATIONAL ADJUSTMENTS

In limited circumstances, the University may modify standard procedures or implement specific administrative actions when necessary to protect the safety, well-being, and functioning of the University community.

1. Emergency or Public Health Adjustments

In the event of an emergency, public health crisis, natural disaster, or other significant disruption to University operations, the University may temporarily modify student expectations, procedures, timelines, or processes outlined in this Code. The University will provide reasonable notice of any modifications to affected students as circumstances permit.

2. First-Year Students and Campus Readiness

The University reserves the right to assess whether an admitted student is prepared to successfully participate in a residential learning environment.

If an incoming first-year student engages in conduct before the start of their first academic term, including during orientation or other University-sponsored activities, that raises significant concerns regarding their readiness to meet community expectations, the Vice President for Student Development (or designee) may require the student to defer enrollment until a future academic term.

This action is administrative in nature and is intended to address enrollment readiness rather than impose discipline. Decisions made under this provision are final and are not subject to the appeal procedures outlined in this Code.

3. Pending Conduct Matters Involving Graduating Students

Students remain subject to the Code of Conduct until all degree requirements have been completed and the degree has been officially conferred by the University.

If a student is alleged to have violated the Code of Conduct after completing academic coursework but before their degree has been conferred, the Vice President for Student Development (or designee) may take administrative action, including delaying or withholding the conferral or release of the student's degree pending resolution of the matter. Any such action shall remain in effect until the matter is resolved through the applicable University process.

CODE OF CONDUCT

The following Code of Conduct establishes specific behaviors that do NOT meet the expectations of a student or any student organizations/groups at the University of Dayton and are therefore prohibited. All violations are cumulative for the duration of an individual student's attendance at the University of Dayton. The processes for cases of potential violations of the Nondiscrimination and Anti-harassment policy (including sexual harassment) differ and can be found online at go.udayton.edu/nondiscrimination. Questions concerning the Student Conduct Process or student conduct records should be addressed to CS&C in person at Gosiger Hall, Room 227, by phone via 937-229-4627, or via email at csc@udayton.edu.

1. Alcohol

The following behaviors are not permitted with regard to alcohol:

- a) Use or possession of alcohol under the legal drinking age.
- b) Distribution of alcohol to any person under the legal drinking age.
- c) Drinking in public, public intoxication, or possessing an open container outside of a private space.
- d) Sale or manufacturing of alcohol.
- e) Operating any vehicle while impaired by, or under the influence of alcohol.
- f) Possession or distribution of alcohol from a mass container (such as kegs, BORGS, or common source) or from outside its original packaging (party juice, unboxed bagged wine, etc.). Possession of consumption devices (such as funnels), possession of items used to facilitate drinking games and/or any behavior that promotes underage or irresponsible drinking.
- g) Abuse of alcohol. Evidence of abuse may include, but is not limited to, loss of motor skills (staggering, slowed response, etc.), slurred speech, inability to speak coherently, requiring medical attention, passing out, vomiting, loss of memory, or hospitalization. Participating in high-risk drinking activities also constitute the abuse of alcohol. Such activities include, but are not limited to, drinking large quantities of alcohol, consuming alcohol at an accelerated pace (through chugging, pre-gaming or participation in a drinking game), or the use of alcohol with medication or other controlled substances.
- h) Use of containers or packaging for decoration, alcohol signage, and advertising that can be seen by the general public is not permitted on University property.

MEDICAL AMNESTY

The University encourages students to seek immediate medical attention for themselves and others when needed during alcohol or drug related emergencies, prioritizing student health and safety by removing the

fear of disciplinary action as a barrier to calling for help. For this reason, the Office of Community Standards and Civility (CS&C) provides medical amnesty through a specialized diversion program known as the Blueprint Program. Under this program, amnesty may be granted to:

- *Students who seek emergency medical assistance for themselves.*
- *Students who seek emergency assistance for others, provided the caller contacts emergency services (such as 911 or Public Safety) or a University official, remains with the person in need until help arrives, and fully cooperates with responders.*
- *Student(s) for whom help is requested.*
- *Amnesty is also extended to individuals who report violent crimes, including sexual misconduct, relationship violence, stalking, or hazing; these individuals will not face disciplinary action for personal alcohol or drug use related to the incident.*
- *While student organizations cannot receive complete amnesty, organizational members are expected to promptly call for help during an emergency; doing so will be considered a significant mitigating factor when determining outcomes for the group, whereas failing to seek help will be treated as an aggravating circumstance in subsequent disciplinary actions.*

When medical amnesty is applied, it shields the incident from becoming a reportable conduct record, and it protects students who are currently on or have been on university disciplinary probation from the consequences of Suspension or Expulsion within reason. To maintain amnesty, students who receive medical assistance must meet with a representative from CS&C and complete any required educational interventions, counseling sessions, or supportive measures. However, this process does not grant blanket immunity; it excludes violations unrelated to personal use or possession, such as harassment, assault, property damage, or the distribution of controlled substances, and it does not prevent independent actions by outside law enforcement agencies. A history of multiple alcohol- or drug-related medical transports remains a serious concern for student well-being, and any student who exhibits a repeated pattern of substance misuse or becomes a persistent danger to themselves may be disqualified from receiving amnesty. Lastly, because medical amnesty is built with the safety of the entire campus in mind, any case where the specific drug in use or the behaviors surrounding the incident cause heightened community safety threats may be deferred from the Medical Amnesty process at the discretion of the Director of CS&C or the Associate Vice President for Student Development and Dean of Students.

2. Compliance

Students are required to comply with:

- a) Directions of any University official acting in the performance of their official duties.
This can include, but is not limited to, failure to identify oneself to these persons when requested to do so, failure to comply with no-contact orders (even if verbal from Public Safety), or failure to immediately comply with or answer any verbal order, directive issued by the police, or reasonable directive issued by EMS or University staff.
- b) Any policy, order, rule, or regulation published or issued by the University.*
- c) The Student Conduct Process, at any stage.
- d) Any signed contract, agreement, pledge or commitment with the University.*

- e) Any agreement or comparable document that is distributed to students and sets forth health, safety, or other requirements for all students; compliance shall be required even if the document is not electronically signed/acknowledged or physically signed by a particular student.*
- f) Rules and regulations of other institutions of higher education, cooperative/internship assignments, student teaching assignments, and any other business or organization/group associated with the University.

Examples of expectations found in various University rules, contracts, and policies include but are not limited to the following:

- *Students are required to carry their student ID at all times.*
- *Sharing network or email passwords is prohibited.*
- *Having restricted items in any University residence is prohibited by the housing contract.*
- *Complying with established protocols in light of a health and safety emergency, such as a pandemic.*

**Rules/Policies and Contracts of Note:*

- *Fair, Responsible and Acceptable Use of Electronic Resources Policy. (UDit)*
- *Flyer Card Policy and Meal Plan Requirement Policy. (Campus Card Services)*
- *Dining Services policies. (Dining Services)*
- *Adherence to other University policies, illustrated in Key Concepts and Notifications of the Student Handbook. (Dean of Students)*
- *Housing and Residence Life Contract & relevant addendums or supplements*
- *Parking Permit requirements.*
- *Animals on Campus Policy*
- *Smoking on the University of Dayton Campus Policy.*
<https://udayton.edu/policies>
- *All policies published at <https://udayton.edu/policies>*

These policies and contracts can be found online or at the hosting offices. Note that, from time to time, additional rules/policies and/or contracts may be established to address unique circumstances.

3. Complicity

Students can be held responsible for encouraging, enabling, facilitating, or assisting another person or group in committing a violation of the Student Conduct Code.

Complicity also includes knowingly harboring violators, hosting a space where violations are permitted to occur.

4. Disorderly Behavior

Students are not permitted to:

- a) Engage in disruptive, indecent, or lewd conduct.
- b) Create or incite a disruption, incident or other event that affects the health, safety, structural integrity or general wellbeing of campus, regardless of whether physically on campus, via social media or other virtual platforms, or by other means.
- c) Act in a manner that causes a disruption or risk of harm to oneself or others or causes a breach of peace.
- d) Throw objects from, climb in/out of windows, or access roofs.
- e) Use restrooms or locker rooms in an inappropriate manner.
- f) Urinate in public.
- g) Unnecessarily extend a confrontation or disrupt a confrontation of another student by police or staff.
- h) Create, participate in, or contribute to a community disturbance. A community disturbance encompasses a wide range of behaviors. Such incidents can include harmful or destructive conduct including violence, damage to or destruction of property, blocking sidewalks/streets in disregard of police and/or other authority's order, setting fires, throwing glass bottles or other objects, refusing to vacate an area where such activity is occurring, a peaceful (pre-approved) protest or other expressive activity that becomes disruptive, or any other behavior that compromises the safety and security of the University community or the ability of the police and other authorities to maintain order.

Students sending mass electronic or online invitations to the campus area that result in large-scale gatherings and community disturbances can be held responsible for said disturbance. (See Code of Conduct 8. concerning guests) The University reserves the right to determine in its sole discretion whether a situation or conduct has risen to the level of disruptive or that of a disturbance.

**Note: To host or otherwise organize a protest, demonstration or other expressive activity, a student must receive prior approval through the Center for Student Involvement and otherwise comply with the University's Freedom of Expression Policy. All participants and observers must respect the rights of others, including those with whom they have opposing views. Any student engaging in disruptive or disorderly behavior, failing to comply with the directions of a University of Dayton official, or otherwise violating the Code of Conduct and/or university policies, is subject to disciplinary action.*

5. Drugs

The following behaviors are not permitted with regard to drugs:

- a) Use and/or possession of marijuana and all forms of cannabis.*

- b) Prescription use or possession of marijuana and all forms of cannabis on campus property.
- c) Use or possession of nicotine or products used to consume nicotine while under the legal age (21) to do so.**
- d) Use or possession of heroin, cocaine, acid, narcotics, or other illegal, prohibited, or controlled substances.
- e) Use of any general product as an intoxicant or as a means to get high.
- f) Manufacturing, growing, distributing, selling, attempting to sell, or transferring any controlled, illegal, or prohibited substances.
- g) Operating any vehicle while impaired by, or under the influence of, alcohol, drugs, or any other controlled, intoxicating or otherwise impairing substance.
- h) Improper use, misuse, possession, or distribution of prescription drugs or over the counter medications.
- i) Possession of paraphernalia commonly used to consume drugs (includes, but is not limited to, pipes, bongs, hookahs, home-made smoking devices, vape materials with suspected illegal substances, or items that have markings of use for drug-related behavior, such as burned spoons).
- j) Use of any product or substance as a means to get another person high or alter another person's physical state and/or mental capacity.

Notes on Drugs:

Medical Amnesty described with the alcohol code can also apply to the drug code.

Possession of quantities of lawful medications in excess of reasonable personal use, in combination with other factors that indicate distribution or other misuse, may be a basis for a violation of this provision.

**Students who have proper documentation from the state of Ohio for the medical use of marijuana are not permitted to use or possess the substance on campus, including in UD housing. A student with such a prescription who is otherwise required to live in UD housing would need to seek an accommodation from the housing requirement.*

*** In addition to this provision, students must comply with the Smoking on the University of Dayton Campus Policy.*

6. Property Damage, Vandalism,* and Community Disruption

Behaviors that are considered disrespectful to the environment and are not permitted include but are not limited to the following:

- a) Creating excessive noise, using disruptive amplified sound, or hosting gatherings that result in community disruption, excessive waste, or property damage.

- b) Knowingly, recklessly, or negligently destroying, defacing, or damaging personal or University property (including but not limited to lobbies, lounges, hallways, community bathrooms, building exteriors, exit signs, security cameras, elevators, ceiling tiles, and bathroom fixtures).
- c) Hosting, organizing, facilitating, or failing to safely manage a social gathering on University-owned, leased, or private property that results in property damage, environmental degradation, or community disruption.
- d) Littering, removing or unearthing plants, or damaging University grounds and facilities in any manner. This includes the improper use of personal equipment (such as hammocks) on University trees or structures.
- e) Outdoor or porch use of furniture that is intended/built for indoor use.

**The outcomes for engaging in vandalism and the behaviors in this Code provision can result in severe disciplinary action, which can include Suspension/Expulsion.*

The University of Dayton does not participate in personal disputes over responsibility or restitution between parties.

7. Fire Safety

The following behaviors are not permitted with regard to fire safety:

- a) Setting a fire, committing arson, or contributing materials or fuel to a fire.
- b) Igniting any material inside a facility, including but not limited to candles and incense.
- c) Falsely activating fire alarms.
- d) Tampering with and/or wrongfully possessing University fire safety equipment, including but not limited to tampering with and/or possessing signage that helps with emergency egress (such as exit signs) or tampering in any way with smoke detectors (such as covering them) or sprinklers (such as hanging items from them).
- e) Failing to report a fire or someone involved in setting a fire.
- f) Failing to vacate a University building during a fire alarm, scheduled fire drill, or failing to vacate the general vicinity of a fire.
- g) Any behavior that places a University facility or the campus community at risk for fire is not permitted. Such behaviors include, but are not limited to failing to properly tend to cooking, improper or unsafe use of cooking appliances, use of fireworks or outdoor tiki torches in the campus area, use/possession of hoverboards, use/possession of appliances with heating elements that are not approved in residence (space heaters), burning candles/incense, burning materials in an open/outdoor space

in the campus area (including in a fire pit), or unsuccessful extinguishing of tobacco products.

Additional expectations, restrictions, and evacuation requirements are governed by the full [University of Dayton Fire Safety and Evacuation Policy](#).

8. Gambling

The following behaviors are not permitted with regard to gambling:

- a) Wagering of money, property, or services (any material or service of value) while on University property (excluding use of legal online betting/wagering sites; see (d)).
- b) Acting as an agent (making a book or placing a bet on behalf of another person in any manner) for any type of gambling activity.
- c) Hosting activities such as poker tournaments, casino nights, and other events that utilize similar gaming themes.

Any online gambling activity must be done responsibly and consistent with applicable law and cannot be done in a way that impacts anyone other than the individual student engaged in that activity. That is, a student engaging in online gambling activity cannot act as an agent (place bets on behalf of others), solicit others to the site, advertise about the site, pressure others, etc.

Note: Student-athletes may be subject to additional restrictions relative to gambling activity and sports.

9. Guests

Students are required to manage their guests in the following manner:

- a) Guests must be accompanied by their host at all times.
- b) Students are responsible for the conduct of their guests at all times.
- c) Students who advertise or issue mass invitations (online or actual) will be held responsible for the guests' behavioral outcomes from such an invitation.
- d) Guests (student or non-student) are not permitted to stay overnight, if they are the opposite sex from the students residing in the room/suite/apartment/house.
- e) Students are not permitted to have overnight guests (student or non-student) stay more than two consecutive nights or five nights in one month without written consent from roommates/living mates as well as the Area Coordinator/Community Coordinator.

- f) Guests may not sleep in an unoccupied bed without prior written consent of the student who primarily uses that bed.
- g) Overnight guests are not permitted during orientation week, final examination weeks, dates when the housing facilities are closed or on any days/dates that the University communicates as a guest-restricted time span.
- h) Students living in University housing may be subject to additional guest registration requirements during specified times of the day/year.

Note: Personal guests are not considered guests of the University but rather guests of the individual, and they are not subject to the background check required of the minors on Campus/University-wide policy. In cases where a guest's conduct puts students/faculty/staff at risk of harm, the outcomes of hosting that guest can result in severe disciplinary action, which can include Suspension/Expulsion.

10. Harassment

All forms of harassment or discrimination are unacceptable in the University of Dayton community. Due to the wide range of behaviors that constitute harassment or discrimination, the University has set two policies and processes for managing these reports and behaviors with respect to students. Violations of the Nondiscrimination and Anti-Harassment Policy are marked in a student's conduct record, but they are managed by the Equity Compliance Office. (See Code of Conduct 18.) Behavior that is considered harassment, but does not rise to the level of or otherwise constitute a violation of the Nondiscrimination and Anti-Harassment Policy and/or falls outside that policy's jurisdiction (such as being outside the definitions or scope of that policy), may be, depending on the circumstances, managed in the CS&C office. Harassment and bullying behaviors include, but are not limited to:

- a) Severe, pervasive, or persistent behaviors (written, verbal, electronic, or physical) directed at a specific individual that a reasonable person would find offensive, degrading, abusive, or harmful. This includes repetitive online or in-person behavior intended to demean or humiliate the individual.
- b) Any statement, gesture, or expression of intent to inflict physical harm, cause injury, or inflict emotional distress upon a person or their property.
- c) Any written, verbal, physical, or electronic act or pattern of behavior, designed to compel an individual to act, or refrain from acting, against their will. This includes using a position of power, physical presence, or psychological pressure that creates a hostile, threatening, or abusive environment that compromises a reasonable person's sense of personal or physical safety.

- d) A course of conduct (two or more acts) directed at a specific person that is unwelcome and would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress. This includes, but is not limited to: repetitive and menacing pursuit; uninvited physical following; persistent unwanted communication (calls, texts, emails, or social media interaction); or non-consensual surveillance and information gathering (cyberstalking).
- e) Bias-related or historically symbolic behaviors or displays of symbols that cause any member of the community to feel targeted, unwelcome or less than by group identity (regardless of intent), whether physical or online. This includes historically offensive symbols that are reasonably known to have such effects, and it includes such symbols and markings in any location (physical or online) potentially visible to other campus community members or visitors.
- f) Capturing, transmitting, or distributing an audio, video, or photographic recording of another person without their explicit knowledge and consent, and where the recording or its distribution would reasonably cause injury, distress, or embarrassment.
- g) Conduct that visually, verbally, or physically targets an individual based on a protected category but fails to meet the jurisdictional criteria required for formal adjudication by the Equity Compliance Office under the Nondiscrimination and Anti-Harassment Policy.

Note: Action that causes mental distress will be determined by using a reasonable person standard.

11. Hazing

The University of Dayton strictly prohibits hazing. Hazing typically involves behavior that is seen by a reasonable person to endanger the physical health of an individual or cause mental distress. Hazing includes any planned/executed action or activity, by or against any active member, associate member, new member, pledge or potential member of a Student Organization or Student Group (see “Terms” section) that inflicts (whether intentionally, forcefully or recklessly) physical or mental harm, distress, anxiety, or which may demean, degrade, endanger, embarrass or disgrace any person, regardless of location, consent, or intention of Participants.

Examples of hazing include, but are not limited to causing, coercing, or otherwise inducing a person to engage in, forced consumption of food, alcohol, drugs, or any other substance; forced physical activity; deprivation of food or sleep; physical acts of violence such as hitting, branding, or paddling; performing sexual acts; extended isolation or setting a group apart; creation of excessive fatigue; physical and psychological shocks;

using activities, such as quests, treasure hunts, scavenger hunts, road trips, interviews or signature books, as a means to exclude those who do not participate from admission to the organization; wearing apparel that is conspicuous or lewd;; morally degrading or humiliating games, stunts, and activities; and late work sessions that interfere with scholastic activities.

Students may not imply that a person be shunned, removed, or unable to join/participate or maintain affiliation or membership in any Student Organization or Student Group for failing or refusing to partake in or submit to any form of hazing activity.

This policy applies to behavior that occurs on or off campus and at University sponsored or approved activities as well as non-University activities.

See University Hazing Policy for further information/resources,
<https://udayton.edu/policies/studentdevelopment/hazing-policy.php>.

Students who participate in a University hazing investigation or inquiry may, on a case-by-case basis, be offered amnesty for other policy violations (such as alcohol violations) for individual behavior disclosed as part of that investigation or inquiry.

Safety Concerns for Students who Report Hazing: Students who report possible hazing incidents will not be subject to individual charges of policy violations by the University if those violations were a direct result/cause/effect of the hazing. Additionally, the University will work to make reasonable accommodations so that the reporting party can continue their academic pursuits. These accommodations include but are not limited to alternative housing, no contact orders, and academic accommodations. Any student who is concerned for their safety either due to ongoing hazing or in fear of retribution should consider speaking with a University staff member to gain an understanding of the services that can be made available in their situation.

Consult the [Student Organizations/Groups](#) section for procedural considerations regarding hazing. See [Terms](#) for specific definitions of Student Group, Student Organization, and Participant.

12. Laws and Statutes

Being charged with or found in violation of any local, state, or federal law in and of itself is a Code of Conduct violation under this provision. In the instance where someone is charged but not convicted, but the evidence is such that the University's preponderance of evidence standard for the behavior at issue would be met and the University has access to that evidence, that could constitute a violation of this code provision.

Local ordinances of note can be found at the end of the [Assistance/Resources](#) section.

13. Misrepresentation

The following behaviors are not permitted with regard to misrepresentation:

- a) Lying, misrepresentation of facts, or giving false testimony to any University official.
- b) Engaging in forgery, whether by physical writing or electronically.
- c) Transferring, altering, wrongfully obtaining, or otherwise misusing documents, including being in possession of an ID other than your own or a fake ID.
- d) Misusing University or University-affiliated organization/group funds.
- e) Using the University logo or name without appropriate permission or falsely attributing an activity to the University.
- f) Representing oneself as the University of Dayton, or having the authority to bind the University, when signing a contract or an agreement.
- g) Falsifying any University or education record.
- h) Obtaining unauthorized access to a University record.
- i) Obstructing or tampering with any University system (e.g., software designed to detect plagiarism or to monitor remote test-taking).

Note that some behaviors that amount to misrepresentation may also be subject to academic processes, such as the Honor Code.

14. Physical Abuse

Physical abuse of any kind is not permitted. Physical abuse includes, but is not limited to, fighting, wrestling, pushing, hitting, grabbing, cutting, or slapping another person, regardless of intent.

Note: Self-defense (responding to a physical attack with a counter physical act) is not encouraged, but it may become necessary in a rare number of cases. Self-defense may be considered a University policy violation if the actions are not immediately followed by an attempt to remove oneself from the situation. It is important to note that students are expected to make every attempt to create a nonviolent solution. Physical attack as a response to verbal harassment, defense of another person, or as a response to someone “being in your face” is unacceptable. In cases where both parties are claiming self-defense and an investigation lends no information to justify one claim over another, both students will be notified of the possible violation.

15. Safety and Security

The following behaviors are not permitted with regard to the safety and security of the University of Dayton community:

- a) Any attempt to compromise or tamper with University security systems including cameras.
- b) Accessing an unauthorized area. This includes, but is not limited to, basements, utility rooms, attics, roofs, spaces, and information technology systems/spaces (e.g., servers, networks, databases) for which a reasonable person would understand is not for public use without authorization. Entering any nonpublic room or building without authorization or invitation is not permitted.
- c) Duplicating University keys or providing University keys to unauthorized individuals.
- d) Engaging in any behavior perceived as a widespread threat to the safety of others. This includes, but is not limited to, hosting large open parties that block streets from the passing of emergency vehicles; jeopardizing campus safety by failing to follow an order to disperse; posting content (online or otherwise) that insinuates a campus attack, or invites others to participate in or encourage behavior that places the campus community at risk of harm; repeatedly or intentionally failing to comply with protocols designed to protect the safety, health and wellbeing of others. This can include protests, demonstrations or other expressive activity that obstruct the University's mission and/or negatively impacts the rights of other students, employees, or guests regardless of whether prior approval through the Center for Student Involvement or other official University channels was obtained.
- e) Possession or use of a weapon, weapon storage paraphernalia, ammunition, or any item that could be perceived as a weapon or housing weapons, which could include, but is not limited to, knives, explosives, martial arts weapons, dangerous chemicals, firearms, pellet guns, BB guns, or any item that could be perceived as a firearm* (e.g., replicas of firearms or the insinuation of a gun, such as gesturing in one's coat pocket), or use of any self-defense item that is not ordinarily a weapon (e.g., pepper spray) in a manner other than its intended purpose.
- f) Use of any object that endangers oneself or the safety and security of the campus community. Such items include, but are not limited to, recreational drones, makeshift zip lines, slacklines, large inflatables, recreational slides, swimming pools greater than 12" in height (or any pool with electrical connections), and hot tubs, as well as flammable liquids and/or chemicals if improperly used or stored.
- g) Tampering with, or propping open points of egress, such as entry/exit doors.
- h) Failing to properly identify oneself when entering the residence halls.

**Note: Consistent with applicable law, individuals who lawfully own or possess a concealed handgun or any other weapon may only have it on campus if it is stored in a locked motor vehicle or if the individual is in the immediate process of placing the weapon in a locked motor vehicle. Such individuals may not have such a weapon anywhere else on campus. The outcomes of possessing a weapon on campus can result in severe disciplinary action, which can include Suspension/Expulsion.*

As with all matters of student conduct, the University reserves the right to determine what constitutes endangerment or threat.

16. Solicitation and Commercial Activity

The following behaviors are not permitted with regard to solicitation and commercial activity:

- a) Solicitation of members of the University community by a student for the sale or promotion of commercial products or services, unless the activity is approved in advance by the Center for Student Involvement in conjunction with Community Standards & Civility (contact involvement@udayton.edu for more information on the approval process).
- b) Hosting vendors for entertainment or other services.
- c) Door-to-door sales, promotion, or collection of funds is not permitted without written permission from Housing and Residence Life unless the activity is considered part of the student's job in residence.
- d) Students operating a business on campus without prior approval through the [L. William Crotty Center for Entrepreneurial Leadership](#) in the School of Business. The business must comply with all regulations and procedures indicated in that process.
- e) Student organizations/groups selling items without prior approval by CSI.
- f) Student-athletes engaged in name-image-likeness activities for compensation must comply with Division of Athletics requirements.
- g) Using any University- or University employee-owned intellectual property for commercial or personal gain without explicit approval, including making or using a recording of classroom material for any purpose other than individual or group study with other students enrolled in the same class (please note all classroom recordings, for any purpose, must be authorized by the instructor and/or be an accommodation offered by the Office of Learning Resources).

Note: Student-run businesses are not permitted without approval from the [L. William Crotty Center for Entrepreneurial Leadership](#) in the School of Business. Without such approval, students may not operate a business on University property or in the campus area. This

means that students cannot use University resources to operate a private business. Resources include, but are not limited to, the use of University property, facilities (including the storage of inventory), networks, utilities, or equipment for the purpose of operating a business/making a profit.

17. Theft/Unauthorized Possession

The following behaviors are not permitted:

- a) Taking the property or services of the University, another person, or organization without explicit permission of the owner.
- b) Attempting to take the property or services of the University, another person, or organization without explicit permission of the owner.
- c) Knowing possession of stolen property or possession of property without the explicit permission of the owner.

18. University Process Abuse

The following are considered abuse of University process or systems and are not permitted:

- a) Behavior disrupting normal University operations, consuming an inordinate amount of University staff/community resources, necessitating a frequent or repetitive University response, or otherwise interfering with the educational process and/or orderly operation of the University.
- b) Retaliation against individuals who exercise rights or participate in investigations or proceedings.
- c) Submission of frivolous or fabricated reports.

19. Nondiscrimination/Anti-Harassment Policy

The University of Dayton does not discriminate on the basis of age, race, color, creed, religion, ancestry, national origin or ethnicity, sex/gender, sexual orientation, gender identity, gender expression, disability, genetic information, military status, veteran status, familial status, or any other protected category under applicable law.

Behaviors that violate the Nondiscrimination and Anti-Harassment Policy are addressed utilizing the Sexual Harassment Resolution Process and Equity Compliance Resolution Process, depending on the circumstances. Prohibited behaviors covered include but are not limited to:

- Sexual harassment.
- Discriminatory or bias-related harassment.
- Sexual misconduct, including sexual assault, intimate partner violence, and stalking.

The complete Nondiscrimination Policy and procedures can be found online at **go.udayton.edu/nondiscrimination**.

STUDENT CONDUCT PROCEDURES

All numbering/lettering is intended to allow for ease of reference and does not indicate sequential order.

RESOLUTION PROCESS

1. Documentation indicating a possible violation of the Student Code of Conduct can be submitted to CS&C by any party. However, designated staff members from the Department of Housing and Residence Life, Department of Public Safety, and Center for Student Involvement are specifically charged through their positions to report any suspected violation. To report a violation, visit go.udayton.edu/civility.
2. Anonymous reports do not necessarily result in a violation review but may prompt an investigation or inquiry; if the content is clear, can be examined, indicates egregious behavior and/or can be corroborated, a disciplinary review and consequences may result.
3. Each report filed will be reviewed by CS&C staff through the lens of the Student Standards of Behavior and Code of Conduct. Notification of a possible violation will be issued (when appropriate) and may not indicate the Code violations intended by the original reporter.
4. CS&C will not issue a notification of possible violation that appears (as deemed by the Director of CS&C) to be retaliatory in nature. The only exception is if, following the conclusion of the original case, the University determines the complainant submitted a false report. False reporting, as determined by the Director of CS&C, is not tantamount to a difference in opinion regarding the events in question. A false report is found to be false due to the presence of evidence indicating that the violations have been fabricated.
5. Students accused of a possible violation will be notified via email to their University account. Students are responsible for maintaining their student-issued email account. Notification will include the reported date of the incident in question, the specific Code(s) of Conduct in question, and instructions on how to resolve the matter.
6. Notification instructions will include the name of the resolution officer the student is to meet with in a Behavioral Resolution Meeting.
7. Invitation to participate in an Adaptive Resolution (AR) process is based on the content of the original report and information obtained as part of the Behavioral Resolution Meeting and is described in the [Informal Resolution](#) section of the Code of Conduct.
8. When provided notice, students are expected to respond and engage in the process. Choosing not to follow the instructions in a notice means waiving the right to respond to the allegations, and the University will resolve the matter based on the existing report and available information gathered.

Note: The processes for cases involving the University's Nondiscrimination and Anti-Harassment Policy, which corresponds to Code of Conduct 18, differ from the Standard Conduct Process. See go.udayton.edu/nondiscrimination for details.

FORMAL RESOLUTION TYPES

A. BEHAVIORAL RESOLUTION MEETING

1. The Behavioral Resolution Meeting is an opportunity for the responding student to review the report, respond to accused violations, discuss the circumstances, and ask questions.
2. The resolution officer will provide the student with information concerning their rights. In instances where the case is not being forwarded to an Accountability Hearing with the University Hearing Board (UHB), this meeting will take place as an official hearing where the resolution officer will make determinations concerning the student's accountability and outcomes.
3. In cases where the resolution officer forwards the case to an Accountability Hearing, the resolution officer assists the student in understanding what needs to be done to prepare for an Accountability Hearing. (See the [Accountability Hearing](#) section)
4. In cases where the resolution officer believes a form of Adaptive Resolution (AR) can be utilized, the resolution officer will consult with the Director of Community Standards & Civility to discuss next steps. (See [Informal Resolution](#); [Adaptive Resolution](#))
5. Students who fail to attend the Behavioral Resolution Meeting waive their right to review or respond to the report. In these cases, the resolution officer will administer findings and outcomes in their absence through an In Absentia Resolution or will forward the case to an Accountability Hearing.
6. Resolution officers utilize a preponderance of the evidence standard to determine what more than likely occurred. In other words, based on the evidence presented, the resolution officer will exercise their best trained evaluation of information presented when determining whether the student should or should not be held responsible for violating the Code(s) in question. Resolution officers consider the information presented as evidence and utilize their own reasoning skills and training to establish the weight and credibility of each piece of evidence/information in a case.
7. In some cases, a student will indicate they are *Not Responsible*, but they will illustrate in their account of events that a code was violated by accident or only in a technical manner. This happens most often when the student believes that the reason they violated the Code of Conduct should mitigate being found *Responsible*. The circumstances leading to a violation are not reason for a student to be found *Not Responsible*, but rather are considered when issuing outcomes for the violation.

8. Students will be able to review the report as a part of their Behavioral Resolution Meeting. Students who would like to retain a copy of the report can request one by emailing the CS&C office at csc@udayton.edu. Please note that the CS&C office requires at least three full business days to redact the report if a copy is requested. Students have the right to review the report prior to the Behavioral Resolution Meeting (BRM), but requests must be provided reasonably in advance to their Resolution Officer. They may also review the report during the BRM.
9. Cases are likely to be forwarded to an Accountability Hearing when:
 - a. The case involves alleged misconduct where the primary facts are in dispute, and/or if substantiated, could result in suspension or expulsion.
 - b. The resolution officer's findings reflect the evidence known at the time, but the student has denied the violation and indicates having decision-altering evidence that needs to be considered.
 - c. The case involves a complainant or a victim.
10. Neither the resolution officer nor the student is permitted to audio or video record a Behavioral Resolution Meeting, but both parties are permitted to take notes.
11. Students may appeal decisions made in a Behavioral Resolution Meeting to the Director of Community Standards and Civility (CS&C) or designee. All appeals must be submitted in writing within 5 business days of the date of the Final Outcome Letter to be considered for review. (See the [Appeals](#) section)

B. ACCOUNTABILITY HEARINGS

The University Hearing Board (UHB) is convened primarily to adjudicate cases in which the alleged misconduct is egregious in nature, the primary facts are in dispute, or, if substantiated, could result in suspension or expulsion.

1. UHB members are provided a copy of the original report, any witness statements or supplemental materials collected by CS&C, as well as the student's written account, witness statements, and supplemental material. These documents are gathered in what becomes known as the case packet.
2. The student must submit any materials they wish to include in the case packet to CS&C within three business days of a Behavioral Resolution Meeting. A resolution officer will review submitted materials with the student so that the student's personal perspective is represented.
3. Students can pick up a redacted copy of the case packet between Noon and 4 pm, five business days prior to their hearing.
4. The University Hearing Board (UHB) consists of three trained members of the University community. Each hearing panel will include one student member and two faculty and/or

staff members. All UHB members receive training on University policies, hearing procedures, student development, and principles of fair and equitable decision-making prior to serving on a hearing panel.

5. Following deliberation, the University Hearing Board will determine findings and recommend outcomes by majority vote. The UHB's findings and recommended outcomes are then forwarded to the Director of Community Standards & Civility for review. The Director of Community Standards & Civility is responsible for making the final determination regarding responsibility, outcomes, and case resolution.
6. UHB members recommend findings using a preponderance of the evidence standard to determine what more than likely occurred. In other words, based on the evidence presented, the UHB members will exercise their best trained evaluation of information presented when determining whether the student should or should not be held responsible for violating the Code in question. UHB members consider the information presented as evidence and utilize their own reasoning skills and training to establish the weight and credibility of each piece of evidence in a case.
7. In addition to the three UHB members, each hearing is facilitated by a UHB Chair. The Chair is responsible for maintaining order, administering procedures, and providing a fair and equitable hearing process. The Chair participates in the questioning portion of the hearing and maintains order throughout the process but does not engage in UHB members recommendations on findings.
8. Prior to, and during, the hearing, the UHB will not have access to the student's disciplinary history (or lack thereof). The UHB will be provided the student's disciplinary history only after a student has been found *Responsible* for a violation if it is needed for the purpose of reviewing outcomes and making recommendations.
9. The hearing will consist of questions from the UHB to the responding student and any witnesses presented to them. Witnesses are not permitted to observe any part of the hearing other than the time they are invited into the room to respond to questions.

The hearing will follow a structured order to provide fairness and clarity for all participants:

- i. The UHB Chair will introduce all participants and explain the hearing process.
- ii. The Chair will provide a summary of the allegations and investigation.
- iii. The responding student will be provided an opportunity to make an opening statement.
- iv. Hearing panel members and the Chair may question the student and any witnesses.

- v. The student may submit questions for consideration by the UHB Chair for witnesses. The Chair may rephrase, modify, or decline questions that are repetitive, irrelevant, harassing, or otherwise inappropriate.
 - vi. No student, witness, complainant, or support person may directly question another participant.
 - vii. Witnesses will appear individually and may be questioned by the hearing panel and the Chair.
 - viii. Following the presentation of information, the student will be provided an opportunity to make a closing statement.
10. Witnesses present for UHB questioning must have submitted a written statement as a part of the case packet or have their perspective illustrated in the content of the original report.
- a. Only those who have witnessed the actual incident or the related events leading up to or directly following the incident are permitted to participate in the hearing.
 - b. Character witnesses are not permitted to participate in the hearing or submit statements as part of the case packet, but character reference letters may be submitted to the UHB for review during deliberation of outcomes (maximum of 5 letters per case).
 - c. Questions deemed relevant and appropriate by the UHB will be addressed to the individual witness by a UHB member or the UHB Chair.
 - d. The responding student is not permitted to communicate directly with witnesses or complainants during the hearing unless approved by the UHB Chair.
 - e. Students who are accused of a potential code violation related to the incident at hand are permitted to serve as witnesses for other students but may not serve as a support person.
 - f. The University reserves the right to hold concurrent (simultaneous) hearings when multiple students are charged for a related incident.
11. Students are not required to respond to the accused violations orally or in writing and can choose to attend or not attend their assigned hearing. The UHB will continue to hear the case, deliberate, and recommend findings, regardless of the student's participation. Even if the student chooses to withdraw from the University, this does not prevent or otherwise alter the continuation of the process; however, the University in its discretion may choose to pause proceedings during a student's prolonged absence from the University.
12. Students are allowed to have one support person sit with them during an Accountability Hearing. This person can provide guidance and advice through written notes or can just serve a supportive presence. This person can be the student's Conduct Adviser (at the student's invitation), but it cannot be someone acting as the student's lawyer or attorney. Support people are not permitted to speak or engage in the hearing. However, having

someone who knows the student and who is invested in their success is often helpful to students.

13. Students are permitted to submit documents, photos, video, forms, etc. as a part of their case packet or impact statements. Any items submitted that are not directly relevant to the Code of Conduct in question, as determined by CS&C personnel, can be removed by CS&C. In the event this occurs, the student will be notified by CS&C.
14. Hearings held by the UHB are recorded. This recording becomes part of the student's disciplinary record in the case. This official recording is the only recording (audio or video) permitted in the hearing. Participants are, however, permitted to take written notes during the hearing, but will be collected at the end to be shredded by the UHB Chair.
15. UHB results are not shared with the student until the Director of CS&C or their designee has reviewed the UHB's findings and recommended outcomes. The student will receive written notice of the final determination, including findings, outcomes, and applicable appeal procedures, once the Director's review has been completed. Results are shared in person, during a Results meeting. Students will be asked to schedule a Results meeting upon arrival at their scheduled hearing.

SUBMITTING DOCUMENTS FOR AN ACCOUNTABILITY HEARING

Listed below are sample outlines and examples of the various forms of documents students are permitted to submit for an Accountability Hearing. All documents must be submitted within three business days of the Behavioral Resolution Meeting. In the event that new evidence comes to light following the submission of your paperwork, contact CS&C prior to your hearing.

Included in the Case Packet

(Reviewed prior to and during the hearing)

Written Account

1. Your name in the top right corner.
2. Three to five sentences on who you are.
3. A detailed account/description of the incident. This can include relevant events leading up to or occurring immediately after the incident. You are encouraged to include any relevant personal context, background, or circumstances that directly influenced the incident or explain your actions.
4. **If you are accepting responsibility:** Content concerning how your decision-making or behavior has changed since the incident, and a closing paragraph that can include suggested consequences.
5. **If you are denying responsibility:** Content highlighting the facts, inconsistencies, or evidence supporting your position, and a closing paragraph explaining why you should not be found responsible for the alleged violations.

Witness Statements

1. The student's name (responding or complainant) in the top right corner.
2. Provide a firsthand, chronological description of the event, focusing directly on what you personally saw, heard, or experienced from start to finish.
3. To ensure the highest level of clarity for the board, base your account entirely on direct observations, detailing specific actions and conversations as they occurred.
4. Include your full name and a brief description of your role or relationship to the situation (e.g., roommate, neighbor, student, bystander).

Not Included in the Case Packet

*(Reviewed by UHB during deliberations after a finding of **accountability** is made)*

Personal Impact Statement

1. Your name in the top right corner.
2. Introduction of who you are.
3. Detailed description of how the incident under review has affected you since it occurred, what you have reflected on since, and how you feel you will best proceed forward in the future.

C. IN ABSENTIA RESOLUTION

If the responding student fails to follow the instructions or respond by the deadline listed in their notice for a Behavioral Resolution Meeting (BRM), the case may be resolved in the responding student's absence through an In Absentia Resolution. The Resolution Officer will, in their professional capacity, make a determination on responsibility for any formal charge(s) and may specify any appropriate outcome(s) based on the available information.

If the case is resolved through an In Absentia Resolution, the responding student has the right to petition for their case to be reopened. Petitions must be received in writing no later than five (5) business days after the written Final Outcome Letter is provided. If no petition is submitted to reopen the case within this timeline, then the outcome(s) listed in the Final Outcome Letter are final and binding.

In Absentia Resolutions are not available if the formal charge(s) may result in Suspension or Expulsion from the University. In such cases, if a responding student fails to respond or attend their scheduled meeting, the case will be referred to the University Hearing Board (UHB) for an Accountability Hearing.

D. NO CONTEST RESOLUTION

- i. If a case involves formal charges that may result in Suspension or Expulsion from the University, and the responding student admits to the allegations and charges, the Resolution

Officer may offer the responding student a No Contest Resolution in lieu of a University Hearing Board (UHB) Accountability Hearing. The responding student must consent in writing to participate in a No Contest Resolution. The University will not pressure or compel the student to participate in a No Contest Resolution. By participating in a No Contest Resolution, the responding student waives all rights to a formal hearing but retains the right to appeal.

ii. A No Contest Resolution will include a description of the behavior, a waiver of the right to a University Hearing Board (UHB) Accountability Hearing, specific responsibility determinations, and a set of outcomes and behavioral restrictions (including agreed-upon terms for Suspension or Expulsion). If the responding student refuses to sign the No Contest Resolution, the case will resume directly through the University Hearing Board (UHB) process.

iii. The responding student will be provided written notification of an accepted No Contest Resolution and their right to appeal.

APPEALS

Following issuance of findings and outcomes of a behavioral resolution meeting or hearing, the University provides students with the opportunity to appeal decisions made through the Student Conduct Resolution Process within reason and with the exception of diversion-eligible programs. Appeals are not intended to provide a second hearing or a rehearing of the original matter. Instead, appeals are limited to the specific grounds outlined below and are designed to promote fairness, accuracy, and consistency of the conduct process.

A. Requesting an Appeal

1. A student may appeal any finding of responsibility and/or outcome issued through a Behavioral Resolution Meeting or Accountability Hearing.
2. Appeal requests must be submitted within five (5) business days of the date the Final Outcome letter is issued.
3. Appeals must be submitted using the appeal link provided in the Final Outcome letter. If the link is unavailable, students should contact Community Standards & Civility (CS&C) at 937-229-4627 or submit their appeal materials via email to csc@udayton.edu.
4. Appeal requests must clearly identify the grounds for appeal and include any supporting documentation, including the following information:
 - A. Their name and student identification number.
 - B. A brief statement describing the decision being appealed.

- C. The specific ground(s) for appeal being asserted.
 - D. A detailed explanation supporting each ground for appeal.
 - E. Any supporting documentation relevant to the appeal request.
 - F. Any new information being submitted, along with an explanation of why the information was unavailable during the original proceeding.
5. Failure to submit an appeal within the designated timeframe will result in the original decision becoming final.

B. Grounds for Appeal

Appeals are limited to one or more of the following grounds:

- 1. The student demonstrates that a material deviation from established University procedures occurred and that the error substantially affected the outcome of the case.
- 2. The student presents new information that was not reasonably available at the time of the original resolution process and that could have materially affected the outcome of the case. Failure to present information known to the student at the time of the original proceeding does not constitute new information.
- 3. The student demonstrates that the outcome imposed is substantially disproportionate to the nature of the violation, the circumstances of the case, and the student's conduct history.
- 4. The decision-maker had a conflict of interest or bias that would change the outcome of the case.

C. Review of Appeals

- 1. Appeals of decisions issued through a Behavioral Resolution Meeting will be reviewed by the Director of Community Standards & Civility or designee.
- 2. Appeals of decisions issued through an Accountability Hearing will be reviewed by the Associate Vice President and Dean of Students or designee.
- 3. The appeal officer may review the case file, hearing materials, appeal request, supporting documentation, and any other information deemed relevant to the appeal.
- 4. The appeal officer may request additional information from the student, Community Standards & Civility, or other appropriate individuals before rendering a decision.

5. Appeals are typically reviewed based upon the written materials submitted. The University is not required to conduct an additional meeting or hearing as part of the appeal process.

D. Appeal Decisions

Upon review of an appeal, the appeal officer may:

1. Deny the appeal and uphold the original findings and outcomes.
2. Modify the outcome(s) if the appeal officer determines the outcome is substantially disproportionate to the violation.
3. Remand the matter for further review, investigation, or reconsideration.
4. Direct that a new hearing or resolution process occurs if a significant procedural error affected the fairness of the original proceeding.
5. Consider and address newly discovered information that may materially affect the outcome of the case.
6. Students will be notified of the outcome of their appeal through their University email account and/or other official University communication methods.

E. Finality of Appeal Decisions

1. Decisions rendered by the Director of Community Standards & Civility regarding appeals of Behavioral Resolution Meeting outcomes are final.
2. Decisions rendered by the Associate Vice President and Dean of Students regarding appeals of Accountability Hearing outcomes are final.
3. Cases remanded for further review, investigation, or a new hearing are not eligible for a second appeal unless a new final decision is subsequently issued.

INFORMAL RESOLUTION PROCESS

A. ADAPTIVE RESOLUTION

Adaptive Resolution (AR) processes such as conferences, circles, and facilitated dialogue allow individuals involved in an incident/situation to have significant influence over the resolution process including outcomes. The Adaptive Resolution process is designed to eliminate the conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the

reporting/affected parties and/or community while still maintaining the safety of the overall campus community.

Participation in an AR process is voluntary and will only be used if (1) persons personally and/or directly affected by the conflict agree to attempt resolution through one of these processes and (2) the resolution officer believes that the process is an appropriate form of resolution and has consulted with the Director of Community Standards and Civility. The nature of some conflicts may render AR inappropriate and will be left to the discretion of the Director of Community Standards and Civility.

When a mutually satisfactory resolution is reached by the parties (all parties agree to each outcome outlined in the formal agreement), the case is resolved and parties are encouraged to use the resolution officer as a resource for future questions. Resolutions reached through AR may not be appealed.

If resolution is not achieved through an attempt at AR and the matter involves a potential code violation, the most appropriate path of formal resolution is initiated (Behavioral Resolution Meeting or Accountability Hearing).

The following outlines expectations should individuals wish to participate in the Adaptive Resolution process:

1. Participation in this process is voluntary and either the Responding or Impacted parties, or the resolution officer, can choose to end the process at any time prior to signing the agreement. The University reserves the right to suspend or terminate the Adaptive Resolution process at any time.
2. Participation in this process does not constitute a finding of “Responsible” for a violation of the Student Code of Conduct, and is therefore not reflected as reportable on the Responding students disciplinary record.
3. Should new information come to light during the Adaptive Resolution process that significantly escalates the conduct under review, the utilization of the Adaptive Resolution process will be reassessed.
4. Once a resolution has been reached, the matter is considered final and is not subject to further review.
5. Should subsequent conduct occur of a similar nature, the use of the Adaptive Resolution process will be left to the discretion of the Director of Community Standards and Civility to resolve the matter.
6. The outcomes outlined in the agreement can be used in determining future outcomes if a student is found Responsible for subsequent violations of the Student Code of Conduct.

7. The Responding student may be charged with Compliance for failure to meet all requirements outlined in the agreement.
8. Information documented during this process will be kept for records maintenance and kept as part of the outcome of this case. However, if the Adaptive Resolution Process is no longer pursued, information gained through these procedures will not be used in a formal resolution process.
9. Both parties may be accompanied by an Adviser or support person at any meeting with student conduct staff during the Adaptive Resolution Process. A support person/adviser can not be an attorney or lawyer.

B. DIVERSION PROGRAM

The **Blueprint Program** serves as a specialized diversion initiative designed for eligible students to resolve matters outside of the formal Student Conduct System. This program enables individuals to address the consequences of an incident through focused educational interventions and support tailored to specific behavioral topics. Participation is extended as a courtesy, allowing students to fulfill requirements without the incident resulting in a reportable disciplinary record.

Engagement in the Blueprint Program is contingent upon receiving a formal invitation. Such invitations are issued when the initial report aligns with established program parameters and the resolution officer concludes that the behavior is best addressed through education regarding University community expectations. Furthermore, the Director of CS&C reserves the authority to refer cases to this alternate resolution path prior to formal adjudication, except in instances involving sexual misconduct (unless specifically authorized by the University's Equity Compliance Office).

Students meeting the eligibility requirements may have the adjudication of their case withheld, provided they successfully fulfill all program mandates as directed. This opportunity is subject to a firm expiration timeline and is available only once during an individual's enrollment at the University. Those who accept but subsequently fail to attend or complete the program will have their case returned to the Student Conduct System for formal resolution. The University maintains full discretion in determining whether a specific situation warrants a diversionary offer.

In order to be invited to participate in the Blueprint Program, the original report must meet the following criteria and be approved by the Director of CS&C:

- a. It must be the first report for a like circumstance for the student invited.

- b. The report cannot include accusations of harm to another person(s), arson, hazing, possession of firearms, acts of sexual violence (unless the University's Equity Compliance Office approves such diversion), or other acts of an egregious nature.
- c. Examples of cases or reports appropriate for this process include but are not limited to the following:
 - i. Relationship dispute (nonviolent, non-abusive).
 - ii. Disorderly behavior.
 - iii. Solicitation/commercial activity.
 - iv. Unauthorized access.
 - v. Bias-related comments.
 - vi. Contract-related compliance.
 - vii. Postponed or delayed action.
 - viii. University Process Abuse.
 - ix. Sexual harassment or discrimination when approved by the Equity Compliance Office.
 - x. General acts of incivility that are outside the expectations of living in community at UD.
 - xi. Directive from the Dean of Students where confidentiality applies.
 - xii. Situations that qualify for medical amnesty.

Requirements: Students who are invited and choose to participate in the Blueprint Program must:

- a. Respond to the notice of possible violation or invitation as instructed. This invitation may come via email, in writing, or in person.
- b. If the invitation requires a meeting, attend the Blueprint meeting to discuss the parameters of the program within the timeframe allotted.
- c. Agree to the terms set forth in the intake Blueprint meeting to participate in the program, rather than have the case resolved in the Student Conduct System.
- d. Follow instructions for the action steps in the program. These steps can range from restitution to ongoing follow-up meetings, depending on the specific case.
- e. Complete all expectations set forth in the original intake agreement and/or notice letter.

The invitation to attend the Blueprint Program expires as indicated in the student's invitation or notice of possible violation. Failure to attend or complete requirements (even with good reason) will result in a Dean's Hold being placed on the students account.

OUTCOMES

Note: See variations for student organizations and groups in the [Student Organizations/Groups](#) section.

STUDENT RECORD NOTATIONS

Generally the University considers only findings of *Responsible* as reportable violations to those outside the University. See [Records Retention](#) for further information.

Findings: The final outcomes with regard to responsibility or lack thereof for violations of the Code of Conduct are as follows:

- a. ***Not Responsible:*** The preponderance of evidence/information available to the University does not demonstrate the student was in violation of the Code.
- b. ***Responsible:*** The preponderance of evidence/information available to the University demonstrates the student was in violation of the Code.
- c. ***Adjudication Withheld:*** The case was diverted to, or the student chose to accept, an educational diversion program, causing the adjudication of the case to be withheld.
- d. ***Adjudication Withheld:*** The case was diverted to, or the student chose to accept, an educational diversion program, causing the adjudication of the case to be withheld.
- e. ***Dropped Charges:*** The University determined that the allegations were dismissed, resolved prior to formal adjudication, or otherwise withdrawn without a finding of responsibility or a record of a violation.

The outcomes given in cases where students are found *Responsible* are intended to be corrective and educational in nature, but they can be punitive when deemed necessary. The disciplinary experience is intended to make clear to the student the limits of acceptable behavior and to give students who violate the Code of Conduct an opportunity to more fully understand the expectations of living in community. The outcomes for those found Responsible for a violation will likely include a combination of interventions.

Students who fail to complete outcomes may be offered an extended deadline, if requested in a timely manner. Failure to complete assigned outcomes in a timely manner (absent the grant of an extended deadline) may result in the student's record being placed on hold (known as a Dean's Hold), which can prevent registration, participation in the housing selection process, the release of grades/transcripts, participation in graduation, and the granting of a degree. Ongoing failure to comply with deadlines or other requirements of the conduct process, could subject the student to other disciplinary actions. Lastly, the University reserves the right to alter the outcomes of

Suspension/Expulsion to that of expulsion in any case where the student violates the terms of the Suspension/Expulsion. The outcomes include, but are not limited to, the following:

- **Written Warning:** An official written notice of the University's disapproval of a student's actions, indicating that any future violation will be dealt with more severely.
- **Restriction:** Temporary or permanent loss of privileges or the use of/participation in a University facility, program, or service. This may include loss of privileges under University policies outside the traditional jurisdiction of Student Development, e.g., failure to comply with the Animals on Campus Policy could result in a student's animal being removed from campus.
- **Intervention:** Educational or informative workshops, events, reflective or research papers, meetings, counseling sessions, or activities related to the violation or incident.
- **Monetary Fine:** A disciplinary fine placed on the student's account.
- **Restitution:** Compensation for loss, damage, or injury.
- **University Disciplinary Probation:** A formal disciplinary status indicating that a student has violated University policy and that further/future violations may result in more serious disciplinary action, including deferred suspension, suspension, or expulsion from the University. A student on Probation is not in good disciplinary standing with the University. Students on Disciplinary Probation may be subject to additional educational conditions, reflective assignments, or targeted restrictions intended to support student learning, accountability, and community well-being. Additional restrictions or loss of privileges related to University programs, activities, events, or campus involvement may also apply, as specified by the University or the policies governing those activities.
- *Note: University Probation is defined differently for student organizations/groups. (See [Student Organization/Groups Section](#) for details).*
- **Housing Restriction/Removal:** Students who have failed to adhere to the Code of Conduct and/or aspects within their Housing Contract that have placed the health, safety, or general well-being of the community at risk, may be relocated from their current residence, assigned to a new space, and/or lose the ability and/or have restrictions imposed on their University housing.
- **Interim Action:** Interventions or restrictions issued by the Dean of Students or Vice President for Student Development & Chief Student Experience Officer at their discretion prior to the adjudication of a conduct case could include, but are not limited to, Interim Suspension/Expulsion, limitation of access to designated University facilities or residence halls by time and location, limitation of privilege to engage in specified University activities, or reassignment to alternate housing.
- **Interim Suspension:** A denial of access to the residence hall(s), the campus (including classes), and to all other University activities or events, which the student might otherwise be eligible to participate in or attend. *Note: Interim*

Suspensions are issued prior to adjudication of a student conduct case by the Vice President for Student Development & Chief Student Experience Officer or the Dean of Students.

- **Deferred Suspension:** A status imposed for serious violations of University policy indicating that suspension from the University has been deferred, contingent upon the student's compliance with all University policies and any assigned conditions or restrictions. A student on Deferred Suspension is not in good disciplinary standing with the University. Any further/future violation of University policy while on Deferred Suspension is likely to result in immediate suspension or expulsion from the University. Failure to complete assigned sanctions by the specified deadline will automatically result in the immediate enactment of the suspension, and the student will be administratively withdrawn from the University. Additional restrictions or loss of privileges related to University programs, activities, events, or campus involvement may also apply, as specified by the University or the policies governing those activities.
- **Suspension:** A complete separation from all University classes, activities, events, services, facilities, grounds, and campus property (including University-owned or controlled houses/residences in the student neighborhood) for a specific period of time and/or until specific conditions are met. Any violation of these terms will result in additional action, up to and including expulsion. Suspensions are immediate, regardless of the timing of the academic year. *Note: Suspension is defined differently for student organizations/groups. (See [Student Organization/Group Section](#) for details).*
- **Expulsion:** Complete and permanent termination of the student's relationship with the University. This termination pertains to all classes, activities, services, facilities, and grounds and precludes any future enrollment in the University's undergraduate, graduate, and professional schools. *Note: Expulsion is defined differently for student organizations/groups (See [Student Organization/Group Section](#) for details).*

During the period where an investigation or student conduct case is pending against a student or the student has not satisfied the terms of an assigned consequence, the University may deny or delay the issuance of a degree. Furthermore, the University may refuse to issue a degree to a student who is serving a Suspension/Expulsion, has been expelled from the University, or may hold a transcript until the Suspension term has lapsed.

When issuing outcomes, the resolution officer utilizes guides to provide consistency, while considering the holistic aspects of the case including balancing the needs of the student and the community, and to address the depth and breadth of the violation, address developmental needs and bridging, and consider the student's conduct history. The outcomes are reviewed each academic year, and it is important to note they are a *guide*, not a minimum or maximum mandate. Resolution officers utilize their educational background and training to assess and consult with supervisors when they believe the appropriate outcomes rise above or below the

standard. Regardless of the final outcomes given, outcomes are not appealable (except in relation to Suspensions/Expulsions issued in a Behavioral Resolution Meeting).

Listed in the following table are the guides used by resolution officers for those portions of the alcohol code that are most commonly violated. Again, these are not a minimum or maximum mandate, but rather a standard. Some violations start with a second offense standard because they will likely qualify for a diversion program at the first offense. It should be noted that, when parent contact information is available, the Director of CS&C will send a letter to the parents of any underage student placed on disciplinary probation for violation of the University's policy on alcohol or drugs. This letter is separate and apart from the letter students write themselves for underage alcohol use.

Specific Behavior	Offense	Typical Outcomes
Underage alcohol	1 st	• Written warning • \$150 fine • Educational intervention • Letter to parents
Underage alcohol No intoxication behavior demonstrated	2 nd	• University Disciplinary Probation • \$200 fine • Educational intervention
Underage alcohol Any signs of intoxication behavior	2 nd /3 rd	• University disciplinary probation • \$250 fine • Educational intervention
Underage alcohol	4 th	• Suspension
Distribution to minors	1 st	• University disciplinary probation • \$200 fine • Educational intervention
Distribution to minors	2 nd	• Suspension
Drinking in public, public intoxication, or possession of an open container (over the age of 21)	2 nd	• Written warning • \$135 fine • Educational intervention
Drinking in public, public intoxication, or possession of an open container (over the age of 21)	3 rd	• University disciplinary probation • \$100 fine • Educational intervention
Driving under the influence of alcohol (where no one was harmed, the vehicle remained in a driving lane, and the driver followed other driving safety standards)	1 st	• University disciplinary probation • \$200 fine • Educational intervention • Permanent loss of driving and parking privileges on campus property • Permanent loss of privileges to drive any University vehicle
Driving under the influence of alcohol	1 st /2 nd	• Suspension

Alcohol abuse, regardless of age (including participation in accelerated consumption or drinking games)	1 st	• University disciplinary probation • \$150 fine • Educational intervention
Alcohol abuse	2 nd	• Suspension

VIOLATIONS WARRANTING SEVERE DISCIPLINARY ACTION

(Suspension or Expulsion)

While the University of Dayton generally uses a progressive discipline model, certain behaviors pose an immediate risk to the health, safety, and integrity of the campus community. The following violations are considered egregious and may result in an immediate Suspension or Expulsion on a first offense:

- **Physical Abuse:** Engaging in physical assault or acts of violence against any individual.
- **Weapons:** Possession or use of a firearm on campus property (except as explicitly permitted under the asterisk to Code 15), or utilizing/threatening another individual with any weapon.
- **Hazing:** Any action or situation created intentionally, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, or ridicule as a condition of group affiliation.
- **Fire Safety Endangerment:** Creating an active fire hazard, compromising fire safety infrastructure, or tampering with/destroying fire safety equipment (including fire extinguishers, exit signs, smoke detectors, sprinkler systems, and manual pull stations).
- **Targeted Harassment:** Engaging in severe, persistent, or pervasive harassment or bullying behaviors.
- **Identity-Based Intimidation and Bias:** Behavior, displays, or threats that target individuals based on shared group identities (including race, gender, religion, nationality, sex, sexual orientation, or socioeconomic status) that compromise a person's safety or create a hostile environment.
- **Severe Community Disturbance:** Hosting, organizing, or participating in an uncontrolled gathering or community disruption that causes significant harm or poses an immediate risk to self, others, or the surrounding neighborhood.
- **Drug Distribution:** The sale, manufacture, exchange, or distribution of illegal drugs or controlled substances, including prescription medications.
- **Theft and Major Vandalism:** Committing grand theft, possessing stolen property, or engaging in significant destruction, damage, or defacement of University or private property.

- **Institutional Fraud:** Tampering with, falsifying, or forging official University records, documents, or identification.
- **Security Compromise:** Tampering with, bypassing, or disabling University security systems, access controls, exit signage or surveillance equipment.
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RECORD RETENTION PRACTICES FOR STUDENT CONDUCT

The University will maintain student disciplinary records

- A. to be in compliance with federal law,
- B. for the purposes of institutional research and
- C. to be kept for purposes as institutional knowledge should the student choose to return to the UD community.

Such records will not be disclosed other than in compliance with the University's Disclosure of Student Records Policy (also known as its FERPA Policy) and any applicable laws or regulations. Generally, only findings of "Responsible" are reported to outside requesters (assuming a disclosure form has been signed by the student), depending on the nature of the outside request.

After 7 years from the date of the last incident, post-graduation, it is the practice of the University of Dayton to delete all disciplinary records that did not result in Suspension or Expulsion. Student conduct files that include a case that ended in Suspension or Expulsion will be maintained indefinitely.

Lastly, this practice only applies to records held and maintained in the Office of Community Standards and Civility. Records held and maintained by the Department of Public Safety, Equity Compliance Office, Student Employment Office, etc., are subject to guidelines set by the University Record Retention Policy, the practices within those offices and state/federal law.

Expungement Requests

Former students may request their disciplinary record be expunged (i.e., considered erased / deleted) if the following parameters are met and in compliance with the above records maintenance practice for disciplinary records.

1. The former student must have successfully completed all academic requirements for their program and graduated from the University of Dayton, or separated from the University with no intention of returning as an undergraduate student.
2. All outcomes related to any disciplinary cases must have been completed successfully.
3. Incident(s) did not involve violence, threats of violence, a victim or impacted party, any form of harassment or discrimination, a drug violation that could qualify as a felony

charge in the legal system, disruption to the orderly operations of the University, and/or an outcome of Suspension or Expulsion.

4. The incident(s) is not subject to rules or regulations prohibiting the University's ability to expunge it (e.g., regulations that impact the ability of the University not to disclose information regarding a student athlete to a transferring institution).

To make a request for expungement, a former student must submit their request in writing to csc@udayton.edu for review by the Director of Student Conduct (or designee) with regards to the above criteria. Requests will be considered on a case-by-case basis. If an expungement is granted, the record will be maintained in accordance with the University's Disclosure of Student Records Policy (also known as its FERPA Policy), any applicable Clery Act or other legal/regulatory requirements, court proceedings, and the University's Record Retention Policy, but it will be considered non-disciplinary in nature from the point of expungement forward (i.e., generally outside parties requesting disciplinary records will be told that there are no disciplinary records).^{*} The students will be provided a written response to their request; no appeal process is granted in the event the request is denied.

^{*} For example, if the University faces discovery requests or subpoenas that would encompass the student's expunged records and the record retention period has not elapsed, the University may still need to disclose the records depending on the circumstances (but would comply with FERPA requirements prior to disclosure of the records).

STUDENT ORGANIZATIONS/GROUPS

The nature of student organizations/groups is such that there is a need to have slight differences in some procedures and consequences to best serve students and the community. In cases of organization/group misconduct, any individuals from the organization/group revealed to have violated a policy can also be charged as individuals. Such action does not remove the organization's/group's responsibility for its members or violations. The Student Conduct System and Code of Conduct applies to all recognized organizations/groups on campus. Student organizations are required to adhere to the rules and regulations set forth by CSI. (See the Student Organization Resource Guide for details). While the Student Conduct System applies to all student organizations/groups, some areas require alternative methods to address specific issues and needs of organizations/groups and the University. One such alternative method includes the issuing of a Cease and Desist Order. Cease and Desist Orders may be issued by the Associate Vice President and Dean of Students or their designee. This is a formal directive issued by the University that instructs a student organization/group to stop all activity immediately. While on a Cease and Desist Order, members of the organization/group are not permitted to gather, meet, or conduct any activities. This includes, but is not limited to, planning, hosting, group emailing/social networking, or participating in any events as an organization/group. Additionally, individual members are prohibited from meeting to discuss the investigation. Cease and Desist Orders are used to protect individuals or the organization/group from potential, or further, harm. The order may be issued in cases where:

- a. The University has information causing concern for the safety and well-being of the students within the organization/group.
- b. The organization/group has been notified of a possible violation of the Student Code of Conduct.
- c. The organization's/group's (inter)national policies and practices may have been breached.
- d. The organization/group may be in violation of local, state, or federal laws.

Upon issuing a Cease and Desist Order to the organization's/group's president/designated representative, an investigation into the concern will be initiated. In most cases, the order stands, pending the outcome of both the investigation as well as the Student Conduct Process. In cases where the investigation alleviates a Code of Conduct concern, the organization/group will receive notice that the order has been lifted, but it may be required to engage in corrective action by CSI or the department or area of oversight. In scenarios where the initial report is egregious or there is reason for the University to have an ongoing concern for safety, the organization/group will remain on Cease and Desist until the allegations can be cleared or pursued.

When accused of possible violations of the Code of Conduct, CS&C will notify the president/designated representative of the organization/group. It is the responsibility of the

president/designated representative to communicate the notice to the organization's/group's members and adviser(s). It is recommended that the president/designated representative forward the original notice to the members and adviser(s) or that the organization/group president/designated representative print it for distribution so all members are aware of the issue. This form of group communication is permitted to organizations/groups that are on a Cease and Desist Order.

BEHAVIORAL RESOLUTION MEETING

For the Behavioral Resolution Meeting, the organization/group may send additional executive members to accompany the president/designated representative. If desired, the organization/group may invite an adviser (faculty/staff/(inter)national member) to attend. All members of the organization/group are required to respond to and attend any meeting concerning an investigation. Failure to do so may result in individual disciplinary action. Members are expected to be honest and forthright with the University. Members are not to be instructed to communicate a "group response" when spoken to, but they are required to speak from their own experience, in their own words. In cases where staff believes members have been coached or instructed to provide false information, the organization/group may be placed on an Interim Suspension/Expulsion, pending the resolution of the case, and the evidence/information concerning such instruction will be included in the content of the case.

ACCOUNTABILITY HEARING

When an organization's/group's case is heard in an Accountability Hearing by the UHB, members are permitted to send two participating representatives. As with any conduct case before the UHB, the organization/group can have one support person sit with them during the hearing. It is suggested that the organization/group choose one of their advisers to serve in this role.

Organizations/Groups found to be responsible for violating the Standards of Behavior or violating any policies of CSI will no longer be in good standing with the University. The University is permitted to alter the organization's/group's status for all cases resulting in a finding of *Responsible*. Action in the Student Conduct System may affect an organization's receipt of recognition, funding, awards, and other privileges available to organizations in good standing. If an organization/group should receive a disciplinary notice, any cases resulting in a finding of *Responsible* will become an official part of the student organization's/group's file. However, for the purpose of any future case, the UHB typically will only consider five years of the organization's/group's disciplinary history. Records including incidents of a violent nature

may be considered beyond the five-year mark as determined by the Vice President for Student Development & Chief Student Experience Officer or the Dean of Students.

FINDINGS/OUTCOMES

Outcomes are specific restrictions or requirements a student organization/group must adhere to or complete. They may include, but are not limited to, loss of organization/group recognition, loss of privileges/rights, community service, restitution, monetary fines, community education (presentations), loss of social activities, loss of special interest housing, apology letters, loss of funding, loss of the privilege to recruit new members, Written Warning, University Disciplinary Probation, Suspension, or Expulsion. The following defines the different standings that may accompany the outcomes for a student organization/group:

- a. **Organization/Group Disciplinary Probation:** Probation consists of an official notice that any further/future actions or behavior that violate the Code of Conduct will likely result in the organization's/group's Suspension/Expulsion and loss of recognition. Probation is accompanied by a variety of disciplinary consequences/sanctions and may include loss of recruiting new members, loss of privileges from varying programs/events, loss of use/application for special interest housing, and loss of campus facility usage.
- b. **Organization/Group Suspension:** The student organization/group is no longer recognized by the University and must completely cease all activities for a specific period of time or until specific conditions are met. All students residing in an organization Special Interest House may be removed from the facility, and the house will no longer be deemed as a Special Interest House for that organization/group. The organization will also lose all privileges from the Center for Student Involvement. If it is determined that the organization/group is operating in an underground/unofficial fashion, the organization/group will be subject to either an extension of the Suspension term or Expulsion.
- c. **Organization/Group Expulsion:** The student organization/group is no longer recognized by the University and must completely cease all activities on a permanent basis. This means no request or petition to reinstate this organization/group at the University of Dayton will be accepted in the future.

PROCEDURAL CONSIDERATIONS

- **Charters/Constitutions and Bylaws:** In addition to the foregoing, the University prohibits requiring or implying requirement to participate in any act that violates the Code of Conduct; the Center for Student Involvement policies for recognized student organizations; local/state/federal law; a student organization's/group's charter/constitution/by-laws; the constitution /by-laws of the National Pan-Hellenic

Council, National Panhellenic Conference, or North American Interfraternity Conference; or rules of the Division of Athletics, NCAA, sport clubs, or intramurals.

- **Concurrent Legal Charges:** Violations of the Hazing Policy and/or Code of Conduct may also constitute violations of Ohio law. Students may find themselves charged through the criminal justice system for incidents that have also been attributed to violations at the University. In these cases, the University will generally proceed with the Student Conduct System concurrently with the legal system. The University does not offer legal advice/counsel to students facing criminal charges.
- **Individual Student Charges:** In cases where the code violation is performed by an individual member of an Organization or Group, the Organization or Group as a whole may be held responsible. Individual students may be charged separately through the Student Conduct System as well. Delegating or requesting another student, Organization or Group, to perform any act that violates the Hazing Policy will result in charges of hazing being brought against the requesting student, Organization, or Group, as well as against the Organization, Group, or individuals performing the act, regardless of affiliation.
- **Depth and Breadth of Process May Vary:** The level of any University investigation may vary based on what is included in a report, what is learned in subsequent inquiries, the connection if any to an Organization or Group, etc. Even if an element of an investigation stops being pursued based on a lack of connection to an Organization or Group or other findings, other policy violations may still be pursued and investigated.
- **Individual Amnesty for Other Policy Violation(s):** Students who participate in a University investigation or inquiry may, on a case-by-case basis, be offered amnesty for other policy violations (such as alcohol violations) for individual behavior disclosed as part of that investigation or inquiry.
- **Organization or Group Hazing:** When an Organization or Group is alleged to have engaged in hazing, the University reserves the right to impose different sanctions and processes than it might impose or adopt when handling an allegation of hazing directed at an individual. More details are included in the Student Standards of Behavior and Code of Conduct, in the section addressing Student Organizations/Groups.

ADDITIONAL OBLIGATIONS

The Center for Student Involvement, Campus Recreation, Leadership Development, Campus Ministry, Athletics, or academic unit(s) under which the organization/group is affiliated, have the authority to take administrative action outside of the Student Conduct Process for violations of expectations set forth for recognized student organizations/groups. Failure to abide by the

process provided by the Center for Student Involvement, Recreational Sports, Leadership Development, Campus Ministry, Athletics, or academic unit(s) under which the organization/group is affiliated (depending on the organization/group), may result in a charge of *Compliance*. Additionally, the Vice President for Student Development & Chief Student Experience Officer, Dean of Students, or designee have the authority to issue a Cease and Desist Order to any group or organization for the purposes of investigation of possible violations of the Code of Conduct.

Organizations/Groups not officially recognized by the University who are using University resources (e.g., facilities, WiFi, etc.) are not afforded the process described in this handbook and may be automatically disbanded. Additionally, individuals within those groups may be charged for violations associated with the behavior of the group where deemed appropriate by the Vice President for Student Development & Chief Student Experience Officer or the Dean of Students. For information on requesting to become a recognized organization, visit go.udayton.edu/involvement.

GAMBLING

Student organizations/groups are not permitted to host or sponsor poker tournaments, casino nights, or other similar events that mimic or promote gambling due to legislative limitations on these types of activities on campus.

TERMS

The following terms have been defined for the Code of Conduct.

Adjudication Withheld: A finding in the Student Conduct System indicating that the student chose to participate in an educational intervention in lieu of the Student Conduct Process. (See Diversion Programs.)

Agreement: Refers to the written resolution of an incident resolved through Adaptive Resolution. The terms of the resolution are agreed upon by all parties and entered as outcomes into the resolution of the conduct matter; the agreement.

Behavioral Resolution Meeting: A formal resolution conducted by a resolution officer (administrator) for disciplinary action and/or referral to an Accountability Hearing.

Campus Area: The area that falls primarily within the north/south borders of Irving and Wyoming Avenues and the east/west borders of Brown Street and Woodland Cemetery, as defined by the Mutual Aid Agreement between the City of Dayton and the University of Dayton. This includes University-owned or controlled properties, including, but not limited to, those on Brown Street (Fitz Hall), Irving Avenue, Edwin C. Moses Boulevard (arena and athletic areas), Patterson Boulevard (Daniel P. Curran Place), Old River Park, Stewart Street and portions of the Arcade in downtown Dayton.

Case Packet: The packet of materials submitted to the UHB for consideration.

Cease and Desist Order: A formal directive issued by the Center for Student Involvement and/or the Office of Greek Life instructing a student organization/group to stop all activity immediately.

Charges: Specific provisions of the Code of Conduct submitted as having possibly been violated by the accused student.

Community Disturbance: Community disturbances encompass a wide range of behaviors. Such incidents can include harmful or destructive conduct such as violence, damage to or destruction of property, blocking sidewalks/streets, setting fires, throwing glass bottles or other objects, refusing to vacate an area where such activity is occurring or any other highly egregious

or reckless behavior that compromises the safety and security of the University community and/or ability for the police/other authorities to maintain order.

Complainant: A person reporting possible violations of the Code of Conduct.

Common Source: A large container, such as a punchbowl, trough, tub, or trash barrel, used for the consumption or serving of an alcoholic beverage in large quantities.

Conduct Adviser: Students, faculty and staff who are trained to know and understand the Student Conduct System and serve as advisers to students seeking assistance. These advisers are not permitted to speak for the student but serve to aid the student in their preparation and understanding.

Dean's Hold: Notation on the student's University account indicating that the person is not permitted to register for classes, receive transcripts and/or a diploma until a pending issue is resolved with the dean's office that placed the hold.

Diversion Program: An educational intervention that diverts a Student Conduct Case away from the Student Conduct System. (See page 33 for details).

Educational Intervention: Educational consequences intended to aid in a student's emotional, intellectual and/or cognitive development with an intended outcome to change behavior.

FERPA: Family Educational Rights and Privacy Act of 1974. For the University's Policy on Disclosure of Student Records, aka its FERPA Policy, go to udayton.edu/policies/enrollment/ferpa/index.php. The University's annual notification of FERPA rights is at https://udayton.edu/policies/enrollment/ferpa/notification_of_ferpa-rights.php.

Findings: The determination of accountability for an accused violation of the Code of Conduct.

Guest: An external visitor of a student and/or a student who is being hosted in the residence of a fellow student.

Medical Amnesty: Students who gain access to medical attention may qualify for medical amnesty. Additionally, the caller will not be documented for simple alcohol/drug violations that become known to authorities as a result of the call for assistance. Provided the student requiring medical attention agrees to participate in the Blueprint Program and complete educational

outcomes as required, medical amnesty will shield the incident from formal disciplinary action. Additionally, in these circumstances, students who are on, or have been on, university disciplinary probation for alcohol- or drug-related issues will be protected from the consequences of Suspension or Expulsion within reason.

Monetary Fine: Disciplinary fine assessed for violations of the Code of Conduct.

No Contact Order: An order from a University Official to have no contact with a particular person or persons. Contact is considered any verbal, written, electronic, nonverbal gesture, third party messages, indirect loud talking in the vicinity of the person and could include indirect actions that appear to the University to be intimidating or to circumvent the order's restrictions.

Not Responsible: A finding in the Student Conduct System that indicates the preponderance of evidence/information available to the University does not demonstrate the student was in violation of the Code.

Outcomes: Officially assigned interventions for violations of the Code of Conduct.

Open Container: Any alcoholic beverage that has been opened and is being transported in public, including any street, sidewalk, alley, park, parking lot or in any vehicle.

Participants: For the purposes of the University's Hazing Policy, 'participants' is defined as any student who directly/indirectly partakes in a prohibited act by leading, encouraging, witnessing or condoning the act in any manner. Failing to stop or report these actions as a bystander/witness may bring charges upon the individual.

Preponderance of Evidence: Standard by which all levels of findings are issued through the conduct process, which weighs whether it is more likely than not that the particular behavior, misconduct, violation, etc. did or did not occur.

Responding Student: A student alleged to have violated a Code of Conduct.

Responsible Finding: A finding in the Student Conduct System that indicates the preponderance of evidence/information available to the University demonstrates the student was in violation of the Code.

Restitution: Financial reimbursement to the University (no personal disputes are managed by CS&C).

Resolution Officer: University administrator responsible for conducting a Behavioral Resolution Meeting.

Self Defense: Responding to a physical attack with a counter physical response that is immediately followed by an attempt to remove oneself from the situation. Providing a physical defense to verbal attacks is not acceptable and is not considered self-defense at the University of Dayton.

Student: For the purposes of the Code of Conduct, the term "student" includes all persons:

- Enrolled in, auditing, or participating in one or more courses or credit/non-credit programs at the University of Dayton, whether full-time or part-time, undergraduate, graduate, professional, or continuing education, and regardless of instructional modality (e.g., in-person, online, hybrid, study abroad);
- Who have accepted an offer of admission and are actively registered for coursework, regardless of academic career. This includes registered students attending pre-enrollment programs, orientation sessions, academic advising, or course-related workshops;
- Not officially enrolled for a particular term but who maintain a continuing academic relationship with the University (such as those on an approved leave of absence, or those eligible to register for courses without reapplying). Generally, an individual retains a continuing relationship for up to three consecutive consecutive semesters (excluding summer terms) from the last semester of attendance; or
- Who withdrew, canceled enrollment, or graduated after allegedly committing behavior that may have violated the Code, provided where the misconduct occurred while the individual met any of the definitions of a student listed above.

Student Group: A number of persons who are associated with the University and each other, but who have not registered, or are not required to register, as a student organization (e.g., athletic teams, musical or theatrical ensembles, academic or administrative units). This definition also extends to student groups that are not officially recognized by the University in any context.

Student Organization: A number of persons who are associated with each other and who have registered with the University as a student organization under the Center for Student Involvement for policies for recognized student organizations.

Support Person: A person chosen by the student to sit with the student during the course of a Behavioral Resolution Appeal or Accountability Hearing or when receiving the final decision of the University Hearing Board. This person is not permitted to be a lawyer/attorney/witness for the case.

University Hearing Board Chair: A staff member designated and trained to preside over UHB proceedings.

University Hearing Board (UHB): A group, comprised of faculty, staff and students, responsible for resolving cases that are not resolved in a Behavioral Hearing.

University Property: Facilities, items and/or land owned, controlled or managed by the University of Dayton. This includes, but is not limited to, library materials, campus signage, campus facilities, grounds, vehicles, classroom materials, etc.

Written Account: A student's official written statement or account responding to a case being heard by the University Hearing Board.

ASSISTANCE/RESOURCES

TIPS ON MANAGING THE PROCESS

- If confronted by a staff member or police officer, the student should receive a notification email within a few days. If the student hasn't heard anything after a week, the student should contact CS&C for information.
- If the student is notified but has no knowledge of being documented, it could be that the report was the result of an investigation, or the report was submitted by a member of the community at large. The student should attend the Behavioral Resolution Meeting. At that meeting, a full copy of the report will be provided for the student to read and respond to.
- There is no reason for the student to begin to "build a case" if notified. The Behavioral Resolution Meeting is an opportunity to attend a hearing between the student and the resolution officer that resembles a meeting more than a hearing. There are no witnesses called or panel members convened. The purpose of the meeting is to share the report and to allow the student to share their personal perspective.
- The student should read the Code of Conduct and review the steps of the process to be prepared to engage in the process.
- The student should reach out to the resolution officer prior to the Behavioral Resolution Meeting if any special needs such as language interpretation, door access, or TTY assistance, are required.
- Students should know that there is a process. Being documented does not mean you are in trouble. It means we need to talk to you. Often when a student is notified, anxiety rises and there is an impulse to immediately talk to someone. Moving the process at a faster pace is not always to the student's benefit. Students should take a moment to think, call their parents, read the handbook, and know that every student in this process will be treated with dignity and respect.
- Students should set aside all knowledge and notions about the U.S. legal system. The Student Conduct System is not a court system. Instead, it is a system founded in the Catholic and Marianist values of the University. It is an educational process that is intended to be developmental for both the individual and the community at large.
- Stress management is very important. The student is advised not to let their mind race with "what if" scenarios. Instead, the student should stay in the moment, concentrate on schoolwork, and take the process one step at a time.
- Conduct Advisers are only assigned in cases moving forward to the UHB, however if the assistance of a Conduct Adviser is desired at any point in the process, call 937-229-4627 or email csc@udayton.edu to request one. If the student is unable to make contact or would feel more comfortable with a different adviser, contact CS&C for assistance.

- Concentrating on academic progress while managing a Student Conduct Case is best achieved by utilizing stress management techniques, getting enough rest, and eating well. If assistance in finding balance to concentrate is needed, call the Counseling Center, the Center for Alcohol and other Drugs Resource Education, the Health Center, or CS&C to get connected to the appropriate services.

DIRECT SUPPORT SERVICES

1. Conduct Advising

Each student who is scheduled to attend a UHB hearing, for either a Suspension/Expulsion Review Hearing or an Accountability Hearing, will be assigned a Conduct Adviser. Conduct Advisers are trained faculty and staff volunteers who are willing to meet with and help students prepare for these hearings. They can provide tips on everything from what to wear to the type of questions one might expect from the UHB. Conduct advising is an optional service, but students are encouraged to utilize their assistance. There is a marked difference in managing nervousness and best representing oneself in students who seek out this type of assistance. Conduct Advisers are not typically assigned until the hearing is scheduled. However, if a meeting with a Conduct Adviser is desired before notification of the date of the hearing, the student may email or call CS&C to request an early assignment. The Conduct Adviser may serve in this role, but they must be invited by the student directly.

2. Support People

Students are permitted to have someone sit with them during the UHB hearing. Support people can provide guidance and advice through notes or simply be there as a supportive presence. Only one support person may attend the hearing. This person cannot be a lawyer or attorney and cannot be someone serving as a witness in the case. Outside these two exceptions, the student can choose anyone (e.g., Conduct Adviser, parent, friend) to serve in this role. Support people are not permitted to speak or engage in the hearing. However, having someone who knows and is invested in the student's success is often helpful. A Conduct Adviser may serve in this role, but they must be invited by the student directly.

3. List of Hearing Board Members

The UHB consists of trained faculty, staff, and students. Students are permitted to request a list of the Board members scheduled to serve on the hearing in advance. If there are concerns about any of the Board members as it relates to a possible conflict of interest, contact the Director of CS&C at (937) 229-4627. Conflict of interest or bias concerns may be directed to CS&C staff, where they will be addressed. Decisions on how to

proceed will be made in consultation with the Director of CS&C or the Dean of Students. Concerns based on gender, race, creed, sex, nationality, disability, color, age, religion, political beliefs, familial or parental status, income status, sexual orientation, marital status, or department of work/study of the Board member(s) will NOT be considered.

4. Community Standards and Civility Staff

CS&C is located in Gosiger Hall, Room 227. Any staff member will be happy to help with any questions and concerns. If the student would like someone from the office to contact parents, a FERPA release form must be signed (or on file) so as much helpful information as possible can be provided to them. Email any questions or concerns to the office at csc@udayton.edu or call 937-229-4627.

LOCAL LAWS AND STATUTES

Police reports are open for inspection and copying under Ohio's Public Records Act. The extent to which the University can withhold the identity of students involved in a case, particularly if criminal charges are involved, is not absolute. However, the University uses its best efforts to protect the privacy of its students, including witnesses, as well as intimate details of the report. Ohio law specifically permits the University to withhold the identity of an uncharged suspect. Regardless of the University's desire to keep student and witness information confidential, the University complies with Ohio law with respect to making information accessible to the public.

MOST COMMON LAWS AND ORDINANCES

ASSAULT	135.03/2903.13	M1/M1
CONSUMPTION IN VEHICLE (Alcoholic Beverage)	90.15/4301.64	M4/M4
DISORDERLY CONDUCT	137.01/2917.11	MM or M4
DRUG POSSESSION (Marijuana)/DRUG ABUSE	139.03/2925.11	MM or M4/MM, Large Quantities = M4 to F2
DRUG PARAPHERNALIA	4301.69	M4, M2, M1
FALSIFICATION	134.02/2921.13	M1/M1
HAZING	2903.31	M4
JAYWALKING	75.01, et al.	MM or M4 (subsequent violation) M3
NOISE VIOLATION	94.05	MM
OBSTRUCTING OFFICIAL BUSINESS	131.02/2921.31	M2/M2 F-5
OPEN CONTAINER IN PUBLIC (Alcoholic Beverage)	90.141/4301.62	MM
OVI (Operating Vehicle Under the Influence)	4511.19	Misdemeanor or Felony
PROHIBITED ACTS (False ID)	4507.30	M1
PUBLIC INDECENCY	136.02/2907.09	M4/M4 or M5
PUBLIC INTOXICATION	90.14/2917.11	MM/MM-M4
TRANSPORT IN VEHICLE (Alcoholic Beverage)	90.16/4301.62	M1/MM

UNDERAGE POSSESSION/CONSUMPTION (Alcoholic Beverage) OR FURNISH ALCOHOLIC BEVERAGE TO UNDERAGE PERSON	4301.69	M14
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*RCGO: Revised City General Ordinance

ORC: Ohio Revised Code

**MM = Minor Misdemeanor M = Misdemeanor 1–4 F = Felony 1–5

NOTIFICATIONS

NOTIFICATION OF ACTS OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES

The University will release to the complainant and respondent involved in a disciplinary proceeding, the

- a. Final results of a University disciplinary proceeding against a student who is an alleged perpetrator of an act of violence (as defined in Section 16 of title 18, United States Code); and
- b. Final results of a University disciplinary proceeding against a student who is an alleged perpetrator of a non-forcible sex offense.

Further, depending on the circumstances (e.g., if such release would be beneficial to others) as determined in the University's discretion, the University may release to others a finding that a student has violated the University's rules or policies, if the student is an alleged perpetrator of a crime of violence or non-forcible sex offense.

PARENT/GUARDIAN NOTIFICATION

The University reserves the right to notify parents/guardians of Student Conduct System proceedings in accordance with FERPA and the UD Policy on Disclosure of Student Records. In compliance with FERPA, UD reserves the right to reach out to parents/guardians or to require the student to inform parents in cases where the student under the age of 21 has been found responsible for a violation of the alcohol or drug policy. It is standard practice in all cases to encourage students to share the information with parents or guardians.

It is important to note that determinations of responsibility and the issuing of sanctions occur at the same time. For this reason, a student could be issued a Suspension or an Expulsion without any parental notification.

PROGRAMS

CS&C hosts a program designed to allow students to mitigate some of the lasting effects of a student conduct violation. For information about these programs, contact CS&C by email at csc@udayton.edu or by phone at 937-229-4627. The office is located in Gosiger Hall, Room 227.

The Stamp Program

This program is designed to help students mitigate the length of a yearlong University disciplinary probation. Participation in Stamp is a choice, not a requirement. Students will return to good disciplinary standing with UD upon completion of all requirements of the program, which must be reviewed and approved. In order to participate in the Stamp Program, the student must have completed no less than six months of the probationary period. For students who have been placed on an extended probation, the criteria time is also extended. Students are not eligible to participate in Stamp in cases that involve acts of violence (physical abuse) or violations of the Nondiscrimination and Anti-Harassment Policy managed by the Equity and Compliance Office. Additionally, the UHB, the Dean of Students, or the Director of CS&C have the authority to disallow participation in the program. Students who wish to participate in the Stamp Program must reach out to CS&C to be considered.

INFORMATION YOU SHOULD KNOW

It's difficult to be mindful of all the things going on around you, but there are often many outward signs that a student is in distress. For example:

- Have you observed something in someone that has you worried?
- Have you seen a classmate or hallmate begin to act differently or strangely?
- Do you not know who to ask about it or do you just want someone to know about the situation?

REPORT A CONCERN ABOUT A STUDENT

If you have a concern about a University of Dayton student you may:

- Call the Counseling Center at 937-229-3141
- Let someone know of the concern by reporting it to https://udayton-advocate.symplicity.com/care_report or Email the Dean of Students Office at deanofstudents@udayton.edu
- Call Public Safety at 937-229-2121, if the concern is immediate.