



# VILLANOVA UNIVERSITY



## STUDENT HANDBOOK 2021-2022

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The Student Handbook is a compendium of student policies. Each policy is governed by the applicable University office, department or division which has administrative authority over that policy. The policies contained in the Student Handbook may be amended during the course of the academic year, as deemed appropriate. If so, the full and updated policy takes precedence over this Handbook. Please refer to the most current materials and communication from the applicable University office, department or division, and/or the Villanova Policy Library, for any updates, additions or amendments.

For questions regarding the Student Handbook or the Code of Student Conduct, please contact the Dean of Students Office in Dougherty Hall room 213 or at 610-519-4200.

# Student Handbook 2021-2022

## About the University

### A Letter from the Vice President for Student Life

Dear Villanovan:

I am pleased to present you with this year's edition of the Villanova University Student Handbook. Historically known as the "Blue Book," it is the official student handbook for Villanova University. We hope it will be a ready reference for information important to you during your stay at the University.

By attending Villanova, you become an integral part of an academic community dedicated to the pursuit of truth through peace and justice. These values are inherent in the Judeo-Christian tradition and form the nucleus of the Augustinian philosophy of education which we have highlighted throughout this publication. In order for peace and justice to prevail and truth to be pursued, all members of the University community must know what is expected of them so they may aspire to responsible and constructive membership and be prepared for the obligations and accountability that membership requires. Accordingly, this handbook outlines the regulations for which you will be responsible.

It is a pleasure to welcome you to a new academic year, and it is my prayer that this year and the years ahead will afford you every opportunity to mature intellectually, spiritually, emotionally and socially. The Division of Student Life is eager to facilitate achievement of these goals, and with your help, cooperation, and involvement we will no doubt be successful in that endeavor.

Kathy Byrnes, J.D.  
Vice President for Student Life

### St. Augustine



FOUNDER OF THE ORDER

*"Late have I loved Thee,  
O, Thou Beauty ever ancient, ever new,  
Late have I loved Thee."  
Saint Augustine of Hippo*

**M**ore than sixteen hundred years ago, the great Saint Augustine spoke about the beauty of God in a few words. These words, taken from his Confessions ( Book X, 27), have excited the minds and imaginations of millions of men and women who read or heard them throughout the ages.

The beauty which Augustine knew and loved in all created things – sun and stars, earth and seas, flowers and beasts – old and young – led him to that source of all beauty which Augustine called God.

For many graduates remembering their college days, the Villanova experience may have given them a hint of God's beauty. Friendships begun, joys and sorrows shared, wisdom gained through knowledge – these are all parts of that beauty.

Recognized through the ages for his gigantic intellect, Augustine of Hippo has always been equally celebrated for the strength of his passionate desire for understanding. In mind and in heart, Augustine was well beyond the ordinary.

Augustine's inquiring mind and his burning heart are symbolized on the seal of Villanova University. The seal shows a burning heart pierced by an arrow and resting on a book of sacred Scripture. In his garden at Milan, the command, Tolle Lege, Tolle Lege ("Take and Read, Take and Read"), came to Augustine as a divine message to seek God in the Scriptures, recalling the moment of his conversion. As he read, these words of Scripture pierced his heart with desire for God, the source of all wisdom and beauty. Taken together, his study of Scripture and his heart's desire for its wisdom symbolize Augustine's life-long search to know and love God.

The search for wisdom and beauty continues in the life of Villanova University. It is its own great beauty, ever ancient, ever new. The words of Villanova's motto proclaim this ultimate ideal of a university education: to discover the meaning of life and the beauty of God in the search for Unity, Truth, and Charity.

## St. Thomas of Villanova



PATRON OF THE UNIVERSITY

*"To give treasure away as Thomas of Villanova did,  
is the duty of the rich and the privilege of the wise."*

**Villanova** is a word that can stretch its meaning to enfold the unique experience of everyone who knows and loves the university. The name Villanova, meaning “new town” or “new house”, symbolizes for its students a new beginning. It is a place where ideas and attitudes greet students each year as they set out on a journey of discovery with new teachers and friends.

Some students may know little about Saint Thomas of Villanova, and many know nothing at all. The typical Villanova student knows that Thomas was the saint who “gave away” his name to the university. Few are aware that he was also a sixteenth-century bishop, Augustinian monk, renowned writer, education, and scholar.

This ignorance about the patron of Villanova is understandable. It is not important that we know so little about the life and deeds of Saint Thomas of Villanova. What really matters about Saint Thomas is that he was a good and generous man who loved the poor. That spirit of generosity is the same spirit which his name brings to Villanova University.

Pictures of Saint Thomas of Villanova tell that story well. They commonly show the saint of Valencia clutching a bag full of money, treasures, which he holds, not to keep, but to give away. For Thomas of Villanova, wealth had only one purpose. It was something he could share with the poor, with those who were in need.

That is the enduring value of education at Villanova University. Education means gathering the wealth of wisdom and learning, which students possess not for themselves, but to share with one another and, as Saint Thomas of Villanova did, to share with those who need it.

For over 175 years, the Villanova family has shared the adventure of learning. Together, they have gathered a wealth of knowledge-treasures of the mind and golden nuggets of truth.

To give treasure away, as Saint Thomas of Villanova did, is the duty of the rich and the privilege of the wise. Villanovans know that this wealth of learning, like love itself, is a gift which we possess never so much as when we give it away.

*Reverend Neil J. McGettigan, O.S.A., D. Min.*

## University Mission Statement and Community Ideals

### Mission Statement

#### Heritage in Perspective

Villanova University is a Catholic Augustinian community of higher education, committed to excellence and distinction in the discovery, dissemination and application of knowledge. Inspired by the life and teaching of Jesus Christ, the University is grounded in the wisdom of the Catholic intellectual tradition and advances a deeper understanding of the relationship between faith and reason. Villanova emphasizes and celebrates the liberal arts and sciences as foundational to all academic programs. The University community welcomes and respects members of all faiths who seek to nurture a concern for the common good and who share an enthusiasm for the challenge of responsible and productive citizenship in order to build a just and peaceful world.

#### Enduring Commitments:

In pursuit of this mission, we commit ourselves to academic excellence, to our values and traditions, and to our students, alumni and the global community.

To foster academic excellence, we:

- Create a diverse community of scholars, united and dedicated to the highest academic standards;

- Emphasize the liberal arts and sciences as our foundation and foster in our students active engagement, critical thinking, life-long learning and moral reflection;
- Concern ourselves with developing and nurturing the whole person, allowing students, faculty and staff to grow intellectually, emotionally, spiritually, culturally, socially and physically in an environment that supports individual differences and insists that mutual love and respect should animate every aspect of university life;
- Encourage interdisciplinary research, teaching and scholarship;
- Affirm the intrinsic good of learning, contemplation and the search for truth in undergraduate and graduate education;
- Support a curriculum that encourages both a global perspective and an informed respect for the differences among peoples and cultures.

To honor our values and tradition, we:

- Believe that the dialogue between faith and reason drives the pursuit of knowledge and wisdom, and fosters St. Augustine's vision of learning as a community ethos governed by love;
- Seek to understand, enrich and teach the Catholic intellectual tradition through our curricula, scholarship and activities in ways that engage diverse religious, intellectual and cultural traditions in a vigorous and respectful pursuit of truth and wisdom in every area of humanity;
- Provide opportunities for students, faculty and staff to seek guidance from Catholic intellectual and moral traditions, while always welcoming people from all faiths, cultures and traditions to contribute their gifts and talents to our mission;
- Respect and encourage the freedom proposed by St Augustine, which makes civil discussion and inquiry possible and productive;
- Look to the Order of St. Augustine to preserve our Augustinian character, by showing appropriate preference to Augustinians in faculty and staff appointments, and by welcoming their presence and influence in our university community.

To serve our students, alumni and global community, we:

- Encourage students, faculty and staff to engage in service experiences and research, both locally and globally, so they learn from others, provide public service to the community and help create a more sustainable world;
- Commit to the common good, and apply the knowledge and skills of our students and faculty to better the human condition;
- Encourage our students and faculty to pursue virtue by integrating love and knowledge, and by committing themselves to research and education for justice, with a special concern for the poor and compassion for the suffering;
- Respect a worldview that recognizes that all creation is sacred and that fosters responsible stewardship of the environment;
- Include our alumni as an integral part of the Villanova community;
- Value highly our relationship with neighboring communities.

## Statement of Community Ideals at Villanova University

Villanova University is a welcoming community, where in the spirit of Augustine, each member greets guests warmly and acknowledges each other as colleagues engaged in mutual service to our students and their parents. Respect for all is powerfully affirmed.

Villanova University is an educationally purposeful community which acknowledges that learning should be a primary goal of every activity, each interaction.

Villanova University believes that each member of our community both teaches and learns from every other. It is in this unifying context that Villanovans must approach each other. Teaching and learning in this Catholic-Christian environment are paramount.

Villanova University is a selfless community, a place where individuals acknowledge and accept their responsibility to sacrifice self interest for the common good, and where the universal values of integrity, compassion, and humility guide decision making at every level of the institution.

Villanova University is a just community, a place where the sacredness of each person is honored, where favoritism, bigotry, and discrimination are categorically rejected.

Villanova University is a caring community, a place where the well-being of each member is sensitively supported, where service to others is strongly encouraged.

Villanova University is a celebrative community, which affirms the Catholic, Augustinian charisma and our collegiate tradition.

Adapted from *Campus Life: In Search of Community*, Carnegie Foundation for the Advancement of Teaching. Steering Committee for Villanova Quality Improvement.

## The Crest of the University

The crest of Villanova University is an adaptation of the seal of the Order of St. Augustine. Its design reflects the Catholic heritage of Villanova University, founded by the Friars of Saint Augustine, and dedicated to St. Thomas of Villanova, under the patronage of Our Mother of Good Counsel. The



crest displays five elements with historical significance.

The motto of the University, “Veritas, Unitas, Caritas” or truth, unity, and love are the special virtues to which the University aspires and seeks to inculcate through every endeavor.

The book is symbolic of Augustine’s dedication to learning, and the Book of Scriptures through which Augustine began his conversion to Christianity. In *Confessions*, written by Augustine, he recounts hearing a voice which instructed him to take up and read, “Tolle lege, tolle lege.” At this invitation, he took up the Book, opened to the Epistle of St. Paul to the Romans, Chapter 13, and began his search for self-knowledge through a relationship with Christ.

The flaming heart symbolizes love of both God and neighbor which so characterized the life of Saint Augustine. The cross above the Book is symbolic of Augustine’s conversion and commitment to Christianity. The laurel wreath which frames the central elements is symbolic of the victory that can be gained through the pursuit of knowledge in the context of shared community.

The institution was established in 1842. The official school colors are navy blue and white.



# Creating a Community of Respect

## *Vision*

As members of a Catholic and Augustinian University, each Villanovan is responsible for creating a community, where mutual love and respect for individual differences guide our community life.

## *Community Ideals:*

As a member of this community

1. I work to create a welcoming community where the dignity of each person is valued and respected.
2. I am committed to an educational environment where teaching and learning are at the center of who I am and what I do.
3. I embrace selfless action in the interest of the common good with integrity, compassion and humility guiding my decisions and behavior.
4. I acknowledge that respect, justice and love define us as a community and are the standards by which I measure the success of my interactions.
5. I contribute to the community through active participation in campus life and service to others.

I acknowledge that Villanova University's Catholic and Augustinian identity calls me to integrate these ideals into my daily life.

Maintaining these community ideals is the responsibility of every member of the University community. Students, staff and faculty should, through their behavior, reinforce the ideals expressed in this document and encourage all members of the community to do likewise. In support of this, the Office for Intercultural Affairs assists the community in providing an inclusive educational experience grounded in Augustinian principles. The Office's task is to promote a respectful environment, intercultural awareness and community outreach.

### **Office of Intercultural Affairs**

Dougherty Hall 214  
610-519-6633

When these ideals are not upheld, each person in the community is affected and the value of every member is diminished. In situations where adherence to these ideals is in question, the following resources are available and are responsible for resolution of concern and complaints.

### **Violations of the Code of Student Conduct**

Dean of Students Office, 213 Dougherty Hall  
610-519-4200

### **Instances of Discrimination or Harassment in On-Campus Employment**

Department of Human Resources  
610-519-7900

## Additional Resources for Instances of Discrimination or Harassment

### **Sexual Harassment**

Ryan Rost, Title IX Coordinator  
204 Tolentine  
610-519-8805

### **Affirmative Action**

Raymond Duffy  
610-519-5135

See also Title IX Notice at: <https://www1.villanova.edu/villanova/studentlife/health/promotion/sexualassault/titleIX/titleixnotice.html>

## Student Bill of Rights

Villanova University seeks to reflect the spirit of St. Augustine by cultivating an environment “that supports individual differences and insists that mutual love and respect should animate every aspect of University life” (University Mission Statement). Out of our collective pursuit of this ideal, we acknowledge that students at Villanova University have certain inalienable rights. These rights include:

1. Right to reasonable notification of student responsibilities (i)
2. Right to reasonable personal privacy (ii)
3. Right to basic human dignity and to be respected as an individual
4. Right to review one’s own official University records (iii)
5. Right to peaceably assemble (iv)
6. Right to form a student organization within the University guidelines
7. Right to form a student government within the University guidelines
8. Right to reasonable process as set forth in University guidelines
9. Right to representation in the formulation of the University budget (v)
10. Right to amend this Bill of Rights (vi)

Any student who believes their rights have been violated should notify the Office of the Vice President for Student Life or the Student Government Association, who will provide assistance.

i Students are expected to know the information contained in the Student Handbook (Bluebook), publications of their college, and other material made available to them by the University.

ii A student’s personal privacy should be maintained at all times unless the University has reason to suspect that a dangerous situation exists or that violations of University policy have occurred or are occurring. It is acknowledged that prior permission is not required. This right is not intended to conflict with the policies or procedures set forth by the Office for Residence Life.

iii While a student is guaranteed this right to review their own Official University student records in accordance with the Student Records Policy, the student is not guaranteed the right to copy them.

iv In accordance with the University’s regulations for On-Campus Assemblies and Demonstrations.

v Student’s representation exists through the Student Government Association as members or participants on relevant University committees.

vi All amendments to this Bill of Rights must be passed by a 2/3 vote of the Student Life Committee of the Villanova University Senate before being submitted for approval.

## Academic Policies

### Academic Policies

For your convenience, the following academic policies are provided in the Student Handbook. However, in academic matters, this handbook is considered subordinate to the applicable University Catalog, academic handbook, or most current communication from the college dean. To view most academic policies visit: <http://www1.villanova.edu/villanova/provost/resources/student/policies.html>

## ACADEMIC INTEGRITY CODE

*For the most current version of the policy, please visit the Villanova Policy Library at this*

*link: <https://villanova.policytech.com/docview/?docid=1270&public=true>*

### Statement of Purpose

Academic integrity lies at the heart of the values expressed in the University’s Mission Statement and inspired by the spirit of Saint Augustine. When students come to Villanova, they join an academic community founded on the search for knowledge in an atmosphere of cooperation and trust. The intellectual health of the community depends on this trust and draws nourishment from the integrity and mutual respect of each of its members.

Institutional experience suggests that maintaining academic honesty can most easily be achieved by planning a head and keeping lines of communication open. By consulting with their instructors, students can resolve any questions they have before submitting their work.

The development of knowledge relies upon the synthesis and analysis of existing sources and the work of scholars across nations, cultures, and time periods. Proper citation and attribution are fundamental elements of advanced learning; they acknowledge the intellectual work upon which new scholarship builds and they serve as guideposts for future projects.

The following are some rules and examples regarding academic dishonesty. Since academic dishonesty takes place whenever anyone undermines the academic integrity of the institution or attempts to gain an unfair advantage over others, this list is not and cannot be exhaustive. Academic integrity is not simply a matter of conforming to certain rules; it must be understood in terms of the broader academic purposes of a Villanova education.

### **Code of Academic Integrity**

#### **A. Cheating:**

While the university encourages and lauds collaborative learning (i.e. sharing notes and resources, forming study groups), when completing an individual class assessment (i.e. assignment, quiz, lab report, exam, etc.) students shall rely on their own mastery of the subject and not attempt to receive help in any way not explicitly approved by the instructor; for example, students should not rely on others' work (code, programming, spreadsheets, etc.) or use outside sources unless the assignment specifically allows it.

Please consult with your faculty member if you are uncertain whether outside sources/support are allowed.

Such cheating includes trying to give or obtain information about a test when the instructor states that it is to be confidential. It also includes trying to take someone else's exam or trying to have someone else take one's own exam.

#### **B. Fabrication:**

Students shall not falsify, invent, or use in a deliberately misleading way any information, data, or citations in any assignment.

This includes making up or changing data or results, or relying on someone else's results, in an experiment or lab assignment. It also includes citing sources that one has not actually used or consulted.

#### **C. Assisting in or contributing to academic dishonesty:**

Students shall not help or attempt to help others to commit an act of academic dishonesty.

This includes situations in which one student copies from or uses another student's work; in such situations, both students are likely to be penalized equally severely. If the assisting student is not enrolled in the particular course, the student's Dean will formulate a suitable and equivalent penalty. Students are responsible for ensuring that their work is not used improperly by others. This does not include team projects where students are told by their instructor to work together or when the student whose work is used by another did not know their work was being used.

#### **D. Plagiarism:**

Plagiarism is defined as the appropriation of another's work and the unacknowledged submission or incorporation of that work as one's own offered for credit. Plagiarism takes place whether it is

accidental or intentional. The most common way to acknowledge reliance on another's work or indebtedness is to use footnotes or other documentation. Faculty members will introduce students to the tools used in their disciplines, providing guidance on how to show clearly when and where they are relying on others -- and students are expected to apply these tools in their writing.

Unacknowledged appropriation involves either using another's work without any reference or acknowledgement.

Examples of unacknowledged appropriation include not referencing quoted text, paraphrasing another's ideas without referencing the source(s), and acquiring a pre-written paper. Unacknowledged appropriation also includes borrowing sentences, phrases, and paragraphs from outside sources, and can also occur when students follow the expression of another's ideas or structure of another's argument too closely. When engaged in knowledge creation and academic research, students must be careful to provide proper attribution and develop their own original language, ideas and arguments in all assignments.

Another's work includes someone else's published statements, ideas, data, or illustrations.

Sources of this work include written text (in any format including Powerpoint slides), podcasts, or video lectures.

The following are examples (not exhaustive) of sources that require citation or acknowledgement: blog posts or any commentary found on social media platforms, online articles found on journal sites or websites, comments by a lecturer in an online video lecture, information from another person's Power Point slide(s) or other presentation modality, hardcopy texts, any authored source whether it has multiple authors or is institutionally authored or is listed as anonymous. If a student is uncertain about whether their submission violates academic integrity, whether by failing to adequately acknowledge sources or by adhering too closely to another's argument, it is recommended they contact the faculty member to discuss prior to submission.

Ideas that occur to the student in conversation with roommates, other students, etc., should be considered the natural result of collaborative learning and do not require specific citation. At the same time, per academic standards, students may wish to acknowledge indebtedness to conversations with roommates, parents, friends, professors, and others in a footnote at the end of the writing assignment.

#### E. Multiple submissions of work:

Students shall not submit the same academic work, or substantially the same work, for more than one class course without prior approval of both faculty members. Faculty create assignments in order to foster a certain kind of learning in a course. Handing in work done for a previous course may preclude this learning.

#### F. Unsanctioned collaboration:

When doing out-of-class projects, homework, or assignments, students must follow their faculty member's instructions regarding any collaboration with other students to complete the work. When a faculty member requires students to complete the work individually, then students may not collaborate to complete the work.

Many Villanova courses involve team projects and out of class collaboration, but in other situations, out of class collaboration is forbidden. While study groups are permitted and even encouraged, students must follow the faculty member's instructions regarding any collaboration.

#### G. Other forms of dishonesty:

Acting honestly in an academic setting includes more than just being honest in one's academic assignments; students are expected to be honest in all dealings with the University. Certain kinds of dishonesty, though often associated with academic work, are of a different category than those listed above. These kinds of dishonesty include (but are not limited to) the following:

- Misrepresenting oneself or one's circumstances to an instructor (for example, in requesting a makeup exam or a special due date for an assignment, or in explaining an absence).
- Forging parts of, or signatures on, official documents (including both university documents, such as drop-add slips or excused absence slips, and relevant outside documents, such as doctors' notes).
- Taking credit for work in a team-project even when the student has made little or no contribution to the work of the team.
- Stealing or damaging library books.
- Unlawfully copying computer software.

These serious offenses will be handled by the University's disciplinary procedures.

### **Appeal of Allegation**

Students who receive an academic integrity violation may, if they believe that they have not committed an academic integrity violation, take their case to the Board of Academic Integrity.

### **Penalties**

**Individual Course Penalty.** The academic penalty will be determined by the student's instructor. [The instructor may impose a grade penalty up to an including failure in the course. In the School of Business, all faculty members assign a grade of zero to any work in violation of the Code.](#) Students who feel that the penalty is too harsh may appeal their grade through the normal University procedure for resolving grade disputes.

If the penalty for the violation is an F for the course, the student will not be permitted to withdraw from the course. If, after the penalty grade has been taken into account, the student is still passing the course, the student may withdraw from the course prior to the final deadline for withdrawing from a course.

**University Penalty.** Students who violate the code of Academic Integrity are also referred to their Dean for a University penalty. Two kinds of penalty are available – Class I and Class II. A full academic integrity violation is a Class I violation and Class II violations are usually appropriate for less serious cases, or in cases where there are mitigating circumstances. Typically, a student with two Class I violations will be dismissed from the university. In some cases, the Dean (or designee) may choose to treat a violation of the Academic Integrity Code as a Class II violation. Typically, a student may receive only one Class II violation during his or her four-year career as an undergraduate. All subsequent violations are treated as Class I violations.

Students who have committed an academic integrity violation will be expected to complete an educational program, supervised by the student's college Dean (or designee), to help the student come to a fuller understanding of academic integrity. Students who fail to complete the educational program to the satisfaction of the Dean (or designee), and within the timelines specified by the Dean (or designee), will have a hold placed on their transcript until the program has been completed.

## **ACADEMIC FREEDOM**

As a necessary condition for fulfilling their duties and functions as teacher-scholars, all faculty members (tenured, tenure-track, non-tenure-track full-time, or part-time adjunct) are entitled to full academic freedom in teaching, in research, and in disseminating the products of their scholarship. One's academic freedom is intrinsically linked to one's responsibilities as a scholar and member of the Villanova community, as detailed in this Faculty Handbook.

Because academic freedom is predicated on a degree of scholarly support for one's positions on issues, it does not extend to espousal of propositions that lack any scholarly support. Scholarly discourse on religious matters is protected.

In extramural academic settings such as professional lectures and conferences, when speaking as a member of a learned profession, faculty members enjoy this same freedom of research and dissemination of results as described above.<sup>1</sup>

In the classroom, academic freedom is task-specific, deriving from and governing one's role as an instructor in a given discipline or disciplines. Faculty members are free to present and discuss their subject matter and related issues in accord with relevant academic standards and students' legitimate academic rights and responsibilities. Except when the University explicitly asks them to discuss specific issues of University concern, faculty "should be careful not to introduce into their teaching controversial matter which has no relation to their subject."<sup>2</sup> Faculty members are responsible for upholding the integrity of reasoned inquiry, open discussion, and free expression. Especially when dealing with controversial topics, faculty members are expected to lead students in a scholarly evaluation of the subject matter.

Student performance should be evaluated solely on an academic basis, not on opinions or conduct unrelated to academic standards. Students should be free to take reasoned exception to the information or views offered in any course of study and to reserve judgment about matters of opinion, but students are responsible for learning the content of the course of study in which they are enrolled, including matters with which they disagree. The validity of their ideas, theories, arguments and views should be measured against the relevant academic standards.

Academic freedom per se does not extend to public statements that are unrelated to one's faculty status and academic expertise. Faculty members are free to exercise their constitutionally-protected freedom of expression, but in exercising that freedom, they will take care not to claim or suggest that the views so expressed are sanctioned by, or necessarily related to their faculty status at Villanova. This is especially important in view of the fact that the public may judge their profession and Villanova University by their utterances.

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<sup>1</sup> Provisions of the University's patent policy apply.

<sup>2</sup> AAUP 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments

## CLASSROOM EXPECTATIONS

1. A professor will normally provide at the beginning of each semester, an outline of the lectures, activities, assignments, and grading system appropriate to the course.
2. The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any prohibited or unlawful acts may be directed by the faculty member to leave the class. Behavior that a reasonable person would view as substantially or repeatedly interfering with the conduct of a class or conduct that is disruptive, disrespectful or threatening will not be tolerated. In addition to academic measures that may be taken, behavioral infractions may be resolved through the Code of Student Conduct.

## FINAL EXAMINATIONS AND THE FINAL WEEK OF CLASSES

Faculty members recognize their obligation to provide timely interim and final assessments of student performance in their classes. This may be done in a variety of ways, to be determined by each instructor. The assessment methodology should be spelled out clearly in the syllabus, with an explanation of the relative weight each item will contribute to the final grade.

The Registrar schedules a time for a final examination for each course. These times are available on the Registrar's website early in the semester, so students should have adequate time to make travel plans. It is permissible to omit the final examination, provided that other equivalently comprehensive assessment techniques are employed. If final examinations are given, they must be given at the time and place scheduled by the Registrar unless exemption has been authorized by the chair and dean.

In order to balance student workload during the final week of classes the following describes prohibited times for administering examinations or other assessment instruments in undergraduate courses only.

- Reading days: No exams or assessment instruments whatsoever may be administered, and no papers or other assignments may be due, on designated reading days.
- Final day of class: With the exception of oral presentations or laboratory assessments, no exams or other student performance assessment instruments whatsoever may be administered, and no papers or other assignments may be due, on the final day of class. Faculty may administer the Course and Teacher Survey.
- Other days of the final week of classes: No final examinations may be administered, and no take-home exams may be due, during the final week of classes. Other major examinations and tests may be administered only with the explicit written consent of the dean of the college (quizzes and minor assignments are permitted). No paper or other assignment may be due on other days of the final week of classes unless clearly scheduled for that week in the course syllabus that is distributed at the outset of the course.

The below section refers to both graduate and undergraduate courses.

- Tests or student learning assessment mechanisms are to be employed periodically. In the interest of fairness, faculty members should take steps to avoid situations where some students have access to previous examinations while others do not. This can be done in several ways: faculty members may collect examination papers from students so that these cannot be circulated in later semesters, or faculty members may make previous examinations available to students either electronically or by other means. Copies of semester examinations are to be filed with the chair of the department and/or the dean of the college.
- Occasionally students will encounter conflicts in the examination schedule such that two of a student's examinations are scheduled at the same time or three examinations are scheduled on the same day. In the event of such a conflict, the student must notify the instructor at least seven days in advance of the scheduled exam. The instructor will make alternative arrangements for the student to complete the examination. In resolving conflicts, multiple section exams should take precedence over exams for a single section, and courses in the major should take precedence over non-major courses. Extraordinary difficulties encountered in effecting such an arrangement will be resolved by the dean of the student's college.
- If a student is absent from a final examination for any reason other than a conflict, he or she must contact the instructor within 24 hours of the scheduled beginning of the examination to request permission from the instructor to take a make-up examination. The instructor may, if he or she wishes, arrange a make-up examination at a mutually convenient time. If the faculty member has reservations about the legitimacy of the student's reasons for missing the examination, the faculty member may refer the student to the office of the college dean, who will evaluate the student's request for a make-up. If the office of the dean approves the request, the faculty member will arrange a make-up examination for the student or assign other work in place of the final examination. If the student does not contact the faculty member within 24 hours, the student must receive permission from both the office of the dean and the faculty member before being allowed to take a make-up examination.
- Faculty members should attend the administration of the final examination in order to answer any questions and ensure high standards of academic integrity. When they are unable to do so, department chairs are to see that sufficient proctors are provided for each examination room. Where there is a shortage in any department, assistance should be requested from other departments.

- Faculty members must retain in their possession all final exams and other unclaimed exams, papers, and student course projects and materials for a period of twelve months following the end of the semester in which they were used to establish grades.

## CLASS ATTENDANCE

Class and laboratory attendance for first-year students is mandatory. A first-year student will receive a grade of "Y" (failure) whenever the number of unexcused absences in a course exceeds twice the number of weekly class meetings for the course.

For students beyond the first year, attendance policies are determined by the instructors of the various courses. The instructor's class attendance policy must appear in the syllabus and at a minimum must allow for the University's excused absences listed below. Enforcement of such attendance policies lies with those instructors. If the instructor thinks a student has too many absences (total of excused and unexcused), then the instructor should discuss the student's attendance with the appropriate Assistant or Associate Dean of the instructor's college in order to determine if the student should withdraw or receive an incomplete.

Where possible, students should inform their instructors if they plan to be late or absent from class. In all cases, students should be prepared to provide documentation to petition for excused absences to the appropriate Assistant or Associate Dean of their college. Excused absences do not count toward a failure in the course for first year students. Absence from class does not release the student from work assigned. Students who miss an in-class obligation (exam, presentation, etc.) due to an excused absence will not be penalized - the instructor may offer a make-up test, arrange an alternative time for a presentation, exempt a student from the assignment, or provide another arrangement.

The University's list of excused absences for all students includes the following:

- participation in NCAA athletic competitions
- participation in special academic events (e.g., conferences, field trips, project competitions)
- participation in official university business (e.g., student representatives attending meetings related to university governance)
- attendance at significant events involving the immediate family (e.g., funerals, weddings)
- religious holidays - see the University's policy on Religious Holidays
- college-approved participation in placement activities (e.g., job interviews, graduate school interviews, attending job fairs)
- legally required absence (jury duty, court appearance, short-term military service)
- documented serious illness or disability (see below how to document)

If instructors want to verify that the absence qualifies as an excused absence under the university list, or verify that the student is permitted to participate in the activity, they should contact the designated Assistant or Associate Dean of the student's College.

The College of Professional Studies has separate attendance policies for FastForward courses and the online degree programs. The College of Nursing has a separate attendance policy for the online RN to BSN program. Graduate Studies in the College of Liberal Arts and Sciences has separate attendance policies for online degree programs.

## Documenting a Serious Illness or Disability

The Student Health Center does not provide notes to excuse absences for students missing class due to their visit to the Student Health Center, or to excuse class absences due to most common illnesses. The Student Health Center will also not provide notes to excuse absences for medical conditions that were not treated at the Student Health Center. The purpose of this policy is to eliminate unnecessary visits from students whose sole purpose is obtaining class absence notes for their professors.



Some illnesses may legitimately prevent a student from attending classes, but are not serious enough to require evaluation and treatment from the Student Health Center. Students often provide self-care, which is very appropriate for many common illnesses such as cold, viral infection, or uncomplicated flu. Students should inform their instructors if they are missing class for a common illness. Instructors have the discretion to decide if the absence due to a common illness is excused. If a student wishes to appeal the instructor's decision, the student may do so by contacting the instructor's Department Chair or Program Director, who will consult with the appropriate Assistant or Associate Dean of the instructor's college, before deciding the outcome of the appeal.

If in the judgment of the Student Health Center staff, the student will be out of class due to a serious illness or medical condition, as opposed to a common illness, the Student Health Center staff will contact the appropriate Assistant or Associate Dean, who will then contact the instructor. The Student Health Center communication to the Assistant or Associate Dean will serve as the documentation needed by the Dean (see below). If the student is seeing an off-campus health care provider, the student will provide the documentation from that provider to the appropriate Assistant or Associate Dean, who will then contact the faculty member.

Examples of serious illnesses may include (but are not limited to):

- Mononucleosis, which may require bed rest and/or removal from campus
- Hospitalization and/or surgery
- Highly contagious diseases (e.g., chicken pox, measles)

*Mental Health Concerns.* The University Counseling Center will use clinical judgment as to whether there is a legitimate need for the student to miss class for reasons related to mental health. If in the judgment of the University Counseling Center staff, the student should be out of class due to a mental health condition, the Counseling Center staff will request a written release of information from the student. With a signed release, the Counseling Center staff may then contact the faculty member or the appropriate Assistant or Associate Dean, who may contact faculty accordingly. The University Counseling Center will not typically validate the legitimacy of a student having missed classes for mental health reasons retroactively, before the student has been to the Counseling Center. The fact that a student is in treatment at the Counseling Center or with an off campus mental health provider will not, in itself, justify the student missing classes. The recommendation for missing classes will occur only when the mental condition necessitates it. If the student is seeing an off-campus mental health care provider, the student will provide the documentation from that provider to the appropriate Assistant or Associate Dean, who will then contact the faculty member.

If the duration of the absence due to serious medical illness or mental health concern undermines the student's ability to complete the academic work required, the appropriate Assistant or Associate Dean will encourage the student to pursue a Medical Leave of Absence—see policy on Medical Leaves of Absence, found at: <https://villanova.policytech.com/docview/?docid=1343&public=true>

*Documenting Disabilities.* Students who are registered with Learning Support Services (LSS) or the Office of Disability Services (ODS) must provide accommodation letters from those offices to their instructors (in advance of absences) in order for subsequent disability-related absences to be considered excused.

Students who are newly struggling should be encouraged to register with the appropriate office for any future concerns. Accommodations are not typically retroactive.

Students with learning disabilities, other neurologically-based disorders, and those disabled by chronic illnesses are encouraged to contact Learning Support Services (LSS) at <https://www1.villanova.edu/villanova/learningsupport.html>. Students with physical disabilities, including but not limited to visual impairments, hearing loss, and mobility limitations, are encouraged to contact the Office of Disability

Services (ODS) at <http://www1.villanova.edu/villanova/studentlife/disabilityservices.html>. Depending on the type of disability, there are different processes for disclosing and documenting the disability with the University.

- For students with learning disabilities, neurologically-based disorders, and disability due to chronic illness, these guidelines, as well as certification forms for certain specific disabilities, can be found at <https://www1.villanova.edu/villanova/learningsupport/guidelines.html>.
- For students with physical disabilities, these guidelines can be found at <http://www1.villanova.edu/villanova/studentlife/disabilityservices/guidelines.htm>.

## DROP AND ADD PROCEDURES

1. Drop/Add - A student may drop and/or add courses during the first five (5) class days of a semester without incurring academic penalty or affecting the student's official transcript.
2. Until the final day for authorized withdrawal from courses, approximately three and one-half weeks after mid-term break (for an exact date, see the academic calendar at <http://www1.villanova.edu/villanova/provost/calendar.html>) student may withdraw from a course without penalty and will receive a grade of "WX". After this period of time, the dean of the college is the final authority for granting or refusing the exception based on the documentation presented. If a student stops attending a course without an Authorized Withdrawal, a grade of Y will be assigned. This computes into the quality point grade as an F.
3. Change of major must be approved by the dean of the college having jurisdiction over the program the student wishes to enter.
4. Withdrawal from the University is granted by the dean of the appropriate college.

## GRADING

1. The grade report at the end of the semester is part of the student's permanent record. Any inaccuracy on this record must be reported to the Registrar; otherwise, the record will stand as it is.
- Spring Semester grade errors: last Friday in June
  - Summer Semester grade errors: last Friday in August
  - Fall Semester grade errors: last Friday in January

Faculty members are responsible for maintaining the integrity of the evaluation and grading system. Presented below is the Undergraduate Grading System; the Graduate Grading System may be found in each college's Graduate Catalog:

**A** is the highest academic grade possible; an honor grade which is not automatically given to a student who ranks highest in the course, but is reserved for accomplishment that is truly distinctive and demonstrably outstanding. It represents a superior mastery of course material and is a grade that demands a very high degree of understanding as well as originality or creativity as appropriate to the nature of the course. The grade indicates that the student works independently with unusual effectiveness and often takes the initiative in seeking new knowledge outside the formal confines of the course.

**A-**

**B+**

**B** is a grade that denotes achievement considerably above acceptable standards. Good mastery of course material is evident and student performance demonstrates a high degree of originality, creativity, or both. The grade indicates that the student works well independently and often demonstrates initiative. Analysis, synthesis, and critical expression, oral or written, are considerably above average.

**B-**

**C+**

**C** indicates a satisfactory degree of attainment and is the acceptable standard for graduation from college. It is the grade that may be expected of a student of average ability who gives to the work a reasonable amount of time and effort. This grade implies familiarity with the content of the course and acceptable mastery of course material; it implies that the student displays some evidence of originality

and/or creativity, works independently at an acceptable level and completes all requirements in the course.

**C-**

**D+**

**D** denotes a limited understanding of the subject matter, meeting only the minimum requirements for passing the course. It signifies work which in quality and/or quantity falls below the average acceptable standard for the course. Performance is deficient in analysis, synthesis, and critical expression; there is little evidence of originality, creativity, or both.

**D-**

**F** indicates inadequate or unsatisfactory attainment, serious deficiency in understanding of course material, and/or failure to complete requirements of the course.

**N** Incomplete: Course work not completed.

**S** Satisfactory: Assigned in Satisfactory/Unsatisfactory courses (work must be equivalent to C or better)

**SP** Satisfactory Progress.

**T** Transfer grade

**WX** Approved withdrawal without penalty.

**W** Approved withdrawal with penalty.

**U** Unsatisfactory: Assigned in Satisfactory/Unsatisfactory courses.

**AU** Audit

**Y** Unofficial withdrawal from course (or for freshmen, failure for excessive absences).

**NG** (Or Blank): No grade reported.

All grades are permanent, except N and NG, which are temporary grades used to indicate that the student's work in a course has not been completed. An N or NG grade must be removed and a grade substituted by the instructor according to the following schedule:

For the Fall Semester: Students must submit all work to the instructor by the last Friday in January; grade changes must be submitted to the Registrar's Office by the second Friday in February.

For the Spring Semester: Students must submit all work to the instructor by the last Friday in June; grade changes must be submitted to the Registrar's Office by the second Friday in July.

Students should check the academic calendar for actual dates. NOTE: if a change is not reported, the N or NG grade automatically becomes an NF.

Without the approval of the instructor, the department chair, and the dean, no grade higher than C may replace the N.

The grade WX indicates an authorized withdrawal with the grade not considered in the calculation of the quality point average. The grade W also indicates an authorized withdrawal, but the grade is calculated as an F in determining the quality point average. Authorization for WX and W may be given only by the student's dean. The grade Y is given when a student unofficially withdraws from a course. It is reflected in the average as an F.

Required courses carrying a final grade of F must be repeated unless the student transfers to another college of the University where the course for which an F grade was received is not a requirement for the degree. The reasons for student deficiencies are reported by the faculty member at mid semester and at the end of the semester to the dean of the student's college.

When a student who has failed in a course presents evidence of subsequent-passing a like course in another institution, the University reserves the right to withhold credit for the course until the student shall have passed a qualifying examination given by the Faculty from which a degree is sought.

Students should recognize that failure in one course or more will usually make it impossible for them to graduate with the class in which they matriculated.

## ACADEMIC PROBATION

The records of students whose cumulative or semester quality-point average falls below 2.00 will be reviewed by the Academic Standing Committee of their college for appropriate action. Students in business, science or engineering whose technical course quality-point average falls below 2.00 will also come before the committee. Typically the student will either be placed on academic probation or dismissed. While on academic probation, students are limited to a schedule of courses determined by the Academic Standing Committee of their College. A student on academic probation will normally be allowed only one semester to achieve the required quality-point average.

## DEAN'S LIST (full-time students only)

Every year, students with established outstanding academic records are honored by the dean of each college. To qualify for the Dean's List, one must be a matriculated full-time student and earn a semester average of:

- 3.5 in the College of Engineering
- 3.5 (for both semesters) in the College of Nursing
- 3.5 in the College of Liberal Arts & Sciences
- 3.5 in the Villanova School of Business, no missing or non-passing grades

## GRADUATION

Residence requirement for graduation: Final 30 credits of (senior year) degree program at Villanova. With the permission of the College Dean, study as part of an approved International Studies Program may count towards the residency requirement. See Residence Requirement for Graduation policy, found at: <https://villanova.policytech.com/docview/?docid=202&public=true>

Graduation honors: Summa cum laude (3.90), magna cum laude (3.75), cum laude (3.50), and at least 60 credits of course work (not including satisfactory/unsatisfactory course) must have been taken at Villanova University.

## TRANSCRIPTS

Undergraduate transcripts are delivered electronically, by postal delivery, campus mail, or by student pick-up. All financial and registrar obligations must be cleared before any transcript request will be honored. Visit the Office of the Registrar's home page for instructions as to ordering a transcript.

## FACULTY OFFICE HOURS

Faculty members should announce to their classes and have on file in the department office a list of office hours set aside for student advisement and consultation. Students are encouraged to meet with faculty members at these times, or by arrangement, to discuss their progress in courses and to develop more effective strategies for mastering their discipline.

## RELIGIOUS HOLIDAY POLICY

Villanova University's Mission Statement calls on the University to create an environment "that supports individual differences and insists that mutual love and respect should animate every aspect of University life." As a Catholic and Christian University, Villanova seeks to respect and support the diverse religious traditions of the members of the University community. As part of this commitment, the University makes every reasonable effort to allow members of the community to observe their religious holidays, consistent with the University's obligations, responsibilities, and policies. Students who expect to miss a class or assignment due to the observance of a religious holiday should discuss the matter with their professors as soon as possible, normally at least two weeks in advance. Absence from classes or examinations for religious reasons does not relieve students from responsibility for any part of the

course work required during the absence. Faculty, if possible, should try to accommodate students with make-up tests or exams if the absence falls on a day when these tests are being administered and/or provide students with reasonable alternative opportunities to complete their academic assignments.

Should a disagreement arise over the implementation of this policy, the matter should be taken to the chair of the department or the program director having jurisdiction over the class in question. If no resolution is reached at that level, the issue will be resolved by the Dean of the College having jurisdiction over the class, and their decision shall be final.

## Code of Student Conduct

### Purpose, Jurisdiction and Scope

#### Purpose

Because Villanova University is a Catholic Augustinian community of higher education, committed to excellence and distinction in the discovery, dissemination and application of knowledge, the institution presumes that all who voluntarily join our scholarly community do so for this primary purpose. Accordingly, rules and regulation governing conduct among community members are designed with the specific intention of enhancing the academic mission of the University.

Because Villanova University is a particularly unique but voluntary community, it depends on its membership to sacrifice, in some instances, individual preferences for the good of the greater whole. Moreover, it depends on its membership to commit itself to a degree of loyalty, a standard of conduct that not only maintains public order, but adheres to the principle that “mutual love and respect should animate every aspect of University life.” Accordingly, Villanova confidently expects that all students will comport themselves in a manner that promotes the continuance and enhancement of the University’s high purpose and its moral and religious traditions.

The Code of Student Conduct exists for three distinct purposes. First, the Code helps to motivate good decision making, create community, and enhance respect for individual differences while emphasizing a commitment to the common good. Secondly, the Code represents limits, a description of conduct that contradict the purpose and nature of Villanova University. Such conduct violates presumptions of membership, and cannot be tolerated in an academic community. Finally, the Code and its implementation recognizes the basic student composition of the community and the corresponding behavioral dynamic. To this end, the Code’s most important purpose is to facilitate personal growth through values education so that members of the student community are made ready to assume public responsibilities beyond the campus and in society. To accomplish these purposes, students who do not uphold the standards of the University, or who violate the provisions of the Code, or who fail to fulfill their obligations as members of this community will be held responsible and accountable for their conduct.

The following guidelines have been established as expectations for continued membership in the Villanova community.

#### Jurisdiction

The Code of Student Conduct applies to all students enrolled at Villanova University, with the exception of students of the Charles Widger School of Law, who are governed by their own policies and procedures. This includes students participating in overseas study or other off-campus academic programs. The University has a vital interest in the character of its students and may regard their conduct as a reflection of a student’s character and fitness to be a member of the student body.

Accordingly, the Code of Student Conduct applies to conduct that occurs both on and off the Villanova campus, and the University reserves the right to sanction any student or student organization found responsible for violating the Code. Students and student organizations will be afforded the elements of process afforded by the Code. The University may impose sanctions up to and including expulsion, whether or not sanctions are imposed by federal, state, or local authorities.

If a student withdraws or takes a leave of absence from the University with a pending allegation of a violation of the Code of Student Conduct, the University retains jurisdiction and the matter may remain open, at the University's discretion. If the student seeks readmission and is reenrolled following a withdrawal, all open matters may be adjudicated under the Code of Student Conduct. Students on leave remain subject to the provisions of the Code of Student Conduct and all alleged violations committed while on leave may be adjudicated prior to the student's return to the University.

## Scope

The following guidelines have been established as behavioral expectations for continued membership in the Villanova community. The list of prohibited conduct set forth in the following statements is intended to be illustrative only. The list is not intended to be all-inclusive and other misconduct, including without limitation, violations of published University policies, rules or regulations, or criminal or civil statutes, may be actionable under this Code.

The Code and the Special Procedures Governing Proceedings Involving Allegations of Sexual Misconduct set forth in the University's Sexual Misconduct Policy will serve as the University's grievance procedures under Title IX of the Education Amendments of 1972 ("Title IX") for allegations of sexual assault, sexual harassment, or other sexual misconduct against any Villanova student. Where appropriate in this Code, certain accommodations have been noted to facilitate the use of the Code to resolve such complaints of sexual misconduct in a manner consistent with Title IX.

Violations of these regulations may result in the full range of disciplinary sanctions, as set forth in this Code. Items that violate state or federal law, the provisions of this Code, or other policies or regulations published by the University will be confiscated by appropriate University personnel and not returned.

## Community Policies

### Community Expectations

Villanova University is committed to "developing and nurturing the whole person, allowing students, faculty and staff to grow intellectually, emotionally, spiritually, culturally, socially and physically in an environment that supports individual differences and insists that mutual love and respect should animate every aspect of university life." Therefore, insensitive, disrespectful, discriminatory, bigoted, racist, harassing, threatening, obscene or violent conduct is considered most offensive. Such conduct, including but not limited to what is listed in this Code, are violations of this Code and strictly prohibited.

Additionally, creation of a safe and peaceful environment where both people and property are respected is the responsibility of every community member. Therefore, other misconduct, irresponsible or offensive behavior, or conduct which is disruptive or dangerous to the community violates the Code whether or not a specific description of such misconduct is set forth.

### Alcohol Policy

Villanova University strives to develop and sustain a living and learning environment in which the full potential of its members may be realized. Therefore, the University aspires to the highest standards of academic excellence and is committed to the personal health and safety of all individuals. In pursuing these community goals, all students and student organizations are required to comply with applicable state laws and the following University policies regarding alcohol.

1. Any person under the age of 21 in the Commonwealth of Pennsylvania may not lawfully possess, consume, purchase, attempt to purchase or transport alcoholic beverages.
2. Furnishing alcohol to any person under the age of 21 or enabling underage alcohol consumption is strictly prohibited. Violations that result in disorderly, disruptive or dangerous conduct, damages, injury, or other criminal activity will be considered more serious.
3. Regardless of age, the abusive or dangerous use of alcohol is prohibited on and off campus, including but not limited to:
  - Intoxication that results in impaired motor skills or balance, slurred speech, disorientation, vomiting, blacking-out, passing-out, or other similar behavior.
  - Disruptive, disorderly, or dangerous conduct related to the consumption of alcohol.
  - Driving on or off campus while under the influence of alcohol.
4. Residing on campus and the possession/consumption of alcoholic beverages on campus is a privilege and not a right. Therefore, regardless of age, the following policies apply within University residence halls and/or on University property:
  - The possession, consumption, or furnishing of alcoholic beverages that contain fifteen percent (15%) or higher alcohol by volume (e.g. hard liquor) is prohibited within University residence halls. This regulation applies to all students and their guests.
  - Consumption or possession of alcoholic beverages in open containers is prohibited in common areas of residence halls, including hallways, lounges, lobbies, stairwells, and bathrooms.
  - Alcoholic beverages may not be possessed or consumed in academic, administrative, or public areas of campus without authorization from appropriate University officials.
  - Common source containers of alcoholic beverages, including beer kegs and alcoholic punch (e.g. "jungle juice"), are prohibited in residence halls and on University property without authorization from appropriate University officials.
  - The possession, consumption, or furnishing of alcoholic punch, caffeinated alcohol, powdered alcohol, grain alcohol, or gelatin shots is prohibited within University residence halls and on University property.
  - Participation in drinking games, consuming shots of alcohol, and any type of binge drinking (e.g. chugging, "shot-gunning," etc.) is prohibited in residence halls and on University property. Simulated drinking games are prohibited regardless of whether or not alcohol is present.
  - Possession or use of binge drinking paraphernalia or any instrument of alcohol abuse (e.g. funnels, beer pong tables, etc.) is prohibited in residence halls and on University property.
5. For students of legal age, the following policies apply within University residence halls and on University property:
  - Students of legal age may possess and consume alcoholic beverages that contain less than fifteen percent (15%) alcohol by volume (e.g. most beer and wine) within their own University residence hall room/apartment, or within a room/apartment where at least one resident is of legal age and is present. At all times, alcohol use must be consistent with the concept of moderate and responsible consumption\*.
  - Students of legal age may transport in common areas of campus or University residence halls an amount of alcoholic beverages that contain less than fifteen percent (15%) alcohol by volume, in closed containers and in suitable packaging, consistent with the concept of moderate and responsible consumption.
  - Students of legal age may possess and consume alcoholic beverages at approved University functions and/or when served at a campus facility/event authorized to provide alcoholic beverages.
  - All student organization sponsored events where alcohol may be served must be approved by the appropriate University official and must follow all University policies and regulations. At all times, alcohol use must be consistent with the concept of moderate and responsible consumption. Furnishing alcohol to any person under the age of 21 or enabling underage alcohol consumption is strictly prohibited for student organizations.

*\*For purposes of this policy, moderate and responsible consumption is the expectation that using alcohol should always be in a manner that does not harm others and minimizes harm to the user. It*

*includes, but is not limited to: setting limits (e.g. pacing and tracking drinks); taking precautions (e.g. eating before and during drinking); sensible decision-making (e.g. not drinking while on medication); and thoughtful consumption (e.g. avoiding hard liquor and drinking games).*

*Conversely, using alcohol to the degree that one may endanger themselves or other persons or property, or otherwise disrupt the community is not considered moderate and responsible consumption.*

## Alcohol Policy Enforcement and Sanctioning

The University reserves the right to sanction students who violate the law and/or the above University alcohol policies (both on and off campus). Typically, first-time alcohol violations which do not involve disruptive, disorderly, or dangerous conduct, and which are consistent with the concept of moderate and responsible consumption will result in educational follow-up and/or less severe sanctions. Otherwise, violations may result in the full range of sanctions such as warnings, fines, disciplinary probation (plus other disciplinary measures) up to and including suspension or expulsion from the University. Subsequent violations, excessive quantities of alcohol, and/or aggravating factors will result in more severe sanctions. Student organizations that violate the law and/or University alcohol policies are also subject to disciplinary action, up to and including suspension or loss of recognition.

1. While legal aged students are permitted to possess and consume alcoholic beverages with less than fifteen percent (15%) alcohol by volume in campus residence halls, if at any time, and in the discretion of University staff, the possession or consumption exceeds the concept of moderate and responsible use, or if there is disorderly, disruptive, or dangerous behavior, the University reserves the right to take immediate corrective action, including but not limited to, the confiscation of alcoholic beverages and/or the dispersion of guests from a residence hall room/apartment. The University reserves the right to sanction students in cases of excessive, dangerous or abusive alcohol use, or for disorderly or disruptive conduct.
2. When a suspected policy violation is encountered by University staff in a residence hall room or apartment, University staff may enter rooms or apartments to address policy violations, to confiscate containers of alcohol, whether full or empty, and/or to disperse guests, if appropriate. University staff may confiscate all alcohol present at the time of a violation regardless of the type of alcohol or the age of the residents. University staff may also, at the time and location of an alcohol violation and when students are present in the room, open and inspect refrigerator(s) and/or coolers (both personal and University-owned) in order to remove all alcohol from the premises. Students are expected to comply with University staff in their efforts. Failure to comply will result in more severe sanctions. Items found that violate the above policies will be confiscated by appropriate University personnel and not returned.
3. The University reserves the right to sanction all residents of a residence hall room/apartment, whether or not the residents are present at the time of the violation, as well as any students present when an alcohol violation occurs, regardless if the alcohol containers are empty or full, decorative or otherwise.
4. All students found in violation of the alcohol policy must comply with all educational requirements specified by designated University staff members. Staff will inform the Dean of Students Office of attendance, compliance and any other recommendations regarding the student.
5. Fines may be assessed, at the discretion of the Conduct Review Officer, for violations of the alcohol policy and will vary depending on the quantity and type of alcoholic beverages confiscated, regardless of if full or empty. Violations involving alcoholic beverages that contain fifteen percent (15%) or greater alcohol by volume, or common source alcohol containers will likely face fines. Typically, fines for alcohol policy violations will not exceed \$150 per person, per incident. Additionally, where there is disruptive, disorderly, dangerous, or uncooperative conduct or repeated violations, more severe fines will be issued, as well as additional sanctions.

## The Expectation of Responsibility for Alcohol and Drug Related Emergencies



## Compliance with University Officials

1. Students and student organizations suspected of violating the Code of Student Conduct are expected to cooperate fully with University officials in their efforts to obtain information, identification, and/or with the confiscation of prohibited items. Any lack of cooperation will be viewed as a serious violation of the Code.
2. Failure to comply with requests from a University official given in the course of their official duties is by itself subject to disciplinary action including a hold on records.

## Dangerous Practices

1. No student shall engage in any activity which shall endanger the health, safety, well-being, or property of themselves or another member of the University community or the institution. Such behaviors will result in sanctions ranging from disciplinary probation plus other disciplinary measures, up to and including suspension.
2. The sale, possession, production, purchase or use of any explosives, fireworks, incendiary devices, firearms, BB/pellet guns, paintball guns, weapons or reasonable facsimile thereof on University property are prohibited as are conspiracies or attempted activities of this nature and will result in sanctions ranging from disciplinary probation to expulsion.
3. Throwing objects, including but not limited to bottles, cans, food or trash, etc. constitutes a dangerous practice and will result in sanctions ranging from disciplinary probation plus other disciplinary measures, up to and including suspension.
4. Failure to abide by Residence Life regulations regarding dangerous practices including but not limited to those listed in the Residence Life section of this handbook may result in disciplinary probation plus other disciplinary measures, up to and including suspension.

## Discrimination

Villanova University is dedicated to educating students of diverse backgrounds and identities and to fostering broad appreciation for difference and diversity.

Discrimination against any person on the basis of race, color, national origin, religion, sex, sexual orientation, age, veteran status, disability, or gender identity is not tolerated.

Discrimination on the basis of sex, including sexual assault, sexual harassment or other sexual misconduct, is addressed more fully in the University Sexual Misconduct Policy.

Villanova University finds such discriminatory conduct particularly harmful and encourages students who feel that their rights as fully participating members of the community may have been restricted to seek remedy through the Code of Student Conduct, the Dean of Students, the Office of Intercultural Affairs, the Office for Diversity, Equity, and Inclusion, or, in the case of sexual discrimination, the University's Title IX Coordinator. Students who engage in discrimination are subject to the full range of sanctions and resolution options outlined in the Code of Student Conduct.

## Dishonesty

1. Furnishing or conspiring to furnish false information to the University by forgery, alteration or misuse of, among other things, University documents or records is likely to result in suspension or expulsion.
2. Furnishing or conspiring to furnish to the University or its representatives, including but not limited to University Administrators, Conduct Review Officers or University Conduct Review Board members, a written or oral false statement is likely to result in suspension.

## Disorderly Conduct

Disorderly Conduct includes, but is not limited to unruly gatherings, excessive noise, public drunkenness and other such behaviors which are disruptive to the life of the community or which disregard the rights of members of the community. Violations are likely to result in disciplinary probation plus other disciplinary measures, up to and including suspension.

## Drug Policy

The following conduct is prohibited for all students:

1. The sale, production or distribution of, as well as attempt, intent, or conspiracy to sell, produce, or distribute illegal drugs, prescription medications, or other controlled, dangerous, or addictive substances.
2. The use or possession of drugs deemed illegal on the federal or state level.
3. The unauthorized possession or the misuse of prescription medications or controlled substances.
4. The use or possession of drug paraphernalia, in any form, while on campus. Drug paraphernalia includes, but is not limited to, pipes, bongs, bowls, rolling papers, hookahs, and grinders.
5. Driving while under the influence of illegal drugs or controlled substances.

## Drug Policy Enforcement and Sanctioning

When a suspected drug policy violation is encountered by University staff in a residence hall room or apartment, University staff may enter rooms or apartments to address policy violations, to confiscate items, and/or to disperse guests. Students are expected to comply with University staff in their efforts, as failure to comply will result in more severe sanctions. Items found that violate policy will be confiscated by appropriate University personnel and not returned.

The University reserves the right to sanction students who violate the law and/or the University drug policy whether on or off campus. Violations involving marijuana may result in educational follow-up, warnings, disciplinary probation, fines or other disciplinary measures, up to and including suspension or expulsion from the University. Subsequent violations and/or aggravating factors will result in more severe sanctions. Violations involving other types of drugs will result in suspension or expulsion. Violations of Section 1 of the drug policy likely will result in expulsion.

Fines may be assessed, at the discretion of the Conduct Review Officer, for drug policy violations and will vary depending on aggravating or mitigating factors. For example, violations that result in actual or potential harm or disruption to individuals or the community will result in more severe fines, as well as additional sanctions.

The University reserves the right to sanction all residents of a residence hall room/apartment, whether or not the residents are present at the time of the violation, as well as any students present when a drug violation occurs. Additionally, the University reserves the right to sanction students in cases where indicators of drug use are present, but where no drugs are recovered. These indicators may include, but are not limited to, symptoms of drug intoxication, the odor or residue of illegal drugs, the presence of drug paraphernalia, attempts to mask odors, or other conduct designed to avoid detection.

Students in violation of the drug policy must comply with all educational requirements specified by designated University staff members. Staff will inform the Dean of Students Office of attendance, compliance and any other recommendations regarding the student.

Student organizations that violate the law and/or the University drug policy are also subject to disciplinary action, up to and including suspension or loss of recognition.

## The Expectation of Responsibility for Alcohol and Drug Related Emergencies

### Ethnic Intimidation

The Commonwealth of Pennsylvania or federal laws consider certain crimes to be more serious when motivated by hatred or malice toward race, color, religion or national origin of another group. These underlying offenses include but are not limited to crimes against persons such as harassment, terroristic threats, assaults and damage to or vandalism of property. Victims should immediately report any such activities or crimes to the Dean of Students Office and Department of Public Safety.

### Fire Safety Policies

1. Tampering with, misuse of, attempt to or conspiracy to misuse firefighting equipment (extinguishers, smoke detectors, alarms, or exit signs) will result in disciplinary probation and an automatic \$500.00 fine; it may also result in loss of campus residency plus other disciplinary measures.
2. The intentional misuse of or conspiracy to misuse any fire alarm system will result in suspension, as a minimum.
3. Propping or otherwise tampering with the proper operation of fire doors, or exiting through “emergency exit only” doors in non-emergencies will result in a \$300.00 fine and other disciplinary action.
4. Alarms: Students may not disregard a fire alarm or refuse to evacuate a building in which an alarm is sounding, regardless of its nature (drill, false alarm or actual alert). Residents who fail to evacuate a building in a voluntary and timely manner will be subject to a minimum fine of \$100.00 and other disciplinary action.

Please refer to the Residence Life policies for additional fire safety regulations concerning on-campus residence halls and apartments.

### Gambling and Sports Wagering

Villanova University expects students to abide by federal and state laws prohibiting illegal gambling and by the University’s Sports Wagering Restrictions policy. Such activity includes, but is not limited to: betting on, wagering on or selling pools on any athletic event; possessing on one’s person or premises any card, book or other device for registering bets; knowingly permitting the use of one’s premises or one’s telephone, computer or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to sporting events. Students involved in illegal gambling, particularly bookmaking, are subject to suspension or expulsion from the University, and students involved in activities prohibited or restricted by the University’s Sports Wagering Restrictions will be subject to disciplinary action as determined by the University.

Please visit the Policy Library for the University’s [Sports Wagering Restrictions policy](#) and the [Sports Wagering website](#) for more information

### Hazing

Hazing is absolutely prohibited. For purposes of this Code of Student Conduct, the term ‘hazing’ means any intentional, knowing, or reckless action or situation that, for purposes of initiation or admission into or affiliation with an organization, or as a condition for continued or enhanced membership in an organization, endangers the mental or physical health, safety, well-being, or dignity of an individual, or destroys or removes public or private property.

Hazing includes, without limitation:

- Any brutality of a physical nature, such as whipping, beating, branding, forced or coerced calisthenics, or exposure to the elements;
- Brutality of a mental, emotional or sexual nature;
- Forced or coerced consumption of any food, alcohol, drug or other substance;
- Sleep deprivation;
- Forced or coerced exclusion from social contact;
- Forced or coerced conduct which is illegal, indecent, obscene, or could result in extreme embarrassment;
- Any other forced or coerced activity which could adversely affect the physical health, safety, mental health, or dignity of an individual or group;
- Any other conduct prohibited as hazing under applicable State or Federal law.

Any activity as described in this definition shall be presumed to be forced and/or coerced, the willingness of an individual to participate in such activity notwithstanding. Permission or approval by the person being hazed is not a defense.

In the case of individual students, violation of this policy may result in the full range of sanctions under this Code, up to and including suspension or expulsion, as well as removal from the organization, community service, or restitution. In the case of organizations, violations of this policy may result in the full range of sanctions under this Code, up to and including suspension or loss of recognition, as well as community service or restitution. The prohibition against hazing applies to acts conducted on or off campus. For more information please view the University's full [Anti-Hazing Policy, available in the Villanova Policy Library](#)

## Identification

1. In an effort to provide adequate security for the members of the University community, every student must carry an identification card (Wildcard) issued by the University.
2. Upon request, students must surrender their I.D. card to authorized personnel, (e.g., Public Safety Officers, Dean of Students, Residence Life Staff, or other University Officials). Students must provide accurate information and must comply with the directions of such officials in the performance of their duties. Furnishing false identification to a University official is likely to result in a minimum sanction of disciplinary probation plus other disciplinary measures.
3. Tampering with or falsification of the student I.D. (Wildcard) is a violation of the Code of Student Conduct. Students found responsible for such a violation are subject to a conduct notice and fine up to disciplinary probation plus other disciplinary measures. Flagrant violations may result in suspension.
4. Students may not lend their I.D. (Wildcard, driver's license or any other form of I.D.) to other students for purposes of falsely identifying that person, meal exchange, library usage or for another person to gain access into a residence hall or University building, or sporting event. Students found doing so are subject to sanctions listed in this Handbook.
5. Possession of an identification card that falsely identifies a student by name, age, date of birth, or photograph may result in disciplinary probation, plus other disciplinary measures.
6. Producing and/or distributing identification cards that falsely identify a person by age, date of birth, or photograph may result in suspension or expulsion.

## Indecent Conduct

Conduct not in keeping with University community standards, including, but not limited to, conduct which is lewd or conduct that a reasonable person would find offensive, affronting, and/or alarming (e.g., streaking, exposing one's private parts, public urination, etc.), or conduct that is a violation of criminal statutes is likely to result in suspension or possible expulsion from the University. Depending on the nature of the incident, indecent conduct may be considered a violation of the University Sexual Misconduct Policy.

## Mental Harm

The following are violations of this Code:

1. Intentionally inflicting, attempting to inflict, or conspiring to inflict mental harm upon any person;  
or
2. Taking any action for the purpose of inflicting mental harm; or
3. Taking any reckless, but not accidental, action which could result in mental harm to any person; or
4. Causing a person to believe that the offender may cause mental or bodily harm; or
5. Any act which demeans, degrades, or disgraces any person.

Sanctions may range from disciplinary probation plus other disciplinary measures, up to and including expulsion.

## Off-Campus Expectations

The University prioritizes the holistic education of its students and recognizes that their conduct reflects the character of themselves and the University. Students are required to understand their responsibilities both as students and as members of the greater community. Accordingly, conduct that occurs both on and off the Villanova campus is within the [jurisdiction](#) of the Code of Student Conduct.

Therefore, off-campus conduct including but not limited to unruly gatherings, excessive noise, littering, trespassing, public intoxication, as well as other conduct which is disruptive, or which disregards the rights of members of the community, or which violates University policy, constitutes a violation of the Code of Student Conduct. Additionally, any off-campus violation of local, state or federal laws or ordinances constitutes a violation of the Code of Student Conduct. The University also reserves the right to address off-campus reports or concerns, regardless of the initiation of and/or outcome of legal proceedings. Violations may result in the full range of disciplinary sanctions plus other administrative and disciplinary measures.

## Physical Harm

The following are violations of this Code:

1. Intentionally inflicting or attempting to inflict, or conspiring to inflict bodily harm upon any person or threatening to do the same; or
2. Taking any action for the purpose of inflicting bodily harm; or
3. Taking any reckless, but not accidental, action which results in bodily harm or could result in bodily harm to any person.

Sanctions may range from disciplinary probation plus other disciplinary measures, up to and including expulsion.

## Racial Incidents and Harassment

It is the policy of Villanova University to maintain an educational environment free of racial incidents and harassment on the basis of race, color or national origin.

Racial harassment includes:

1. Conduct consisting of different treatment on the basis of race; or
2. The existence of a racially hostile environment.

Such conduct or hostility is inconsistent with federal law and the University's objective to provide a nondiscriminatory educational environment and will not be tolerated. Students who engage in racial harassment are subject to the full range of sanctions outlined in the Code of Student Conduct.

Any questions or concerns regarding racial harassment in the University community should be directed to the Dean of Students Office or the Office of Intercultural Affairs. If it is determined that racial harassment has occurred, the University will take reasonable steps to eliminate such conduct and will attempt to prevent its recurrence.

## Sexual Misconduct

Acts of sexual misconduct are violations of this Code of Student Conduct, and may also constitute Title IX violations and/or crimes. More detailed definitions are set forth in the University [Sexual Misconduct Policy](#) in the Student Handbook, which is incorporated by reference into this Code of Student Conduct. Resources and accommodations are available to individuals who experience sexual misconduct, regardless of whether a formal complaint is filed under this Code.

Sanctions imposed on persons found responsible for acts of sexual misconduct may include the full range of sanctions and measures outlined in the Code of Student Conduct, up to and including expulsion from the University.

## Theft

1. Theft of property or services, attempted theft of property or services, possession of stolen property, or conspiracy to steal will result in sanction(s) ranging from suspension up to and including possible expulsion from the University.
2. The appropriation of, attempt to appropriate, or conspiracy to appropriate University property for private use, including but not limited to such items as dining room equipment, laboratory equipment, furniture or library books, cable, internet, and telephone systems are likely to result in disciplinary probation plus other disciplinary measures, up to and including suspension.
3. The unauthorized use of or attempted use of a Wildcard, Credit Card, Debit Card, Check, or the like to purchase goods or services or to obtain property will result in sanctions ranging from suspension up to and including expulsion from the University.

## Use of Facilities

1. Forcible entry, unauthorized entry, conspiracy or attempt at such entry into any building, student room, structure, facility or roof thereof, will most likely result in suspension.
2. Unauthorized entry to or use of University grounds is likely to result in disciplinary probation and other disciplinary measures.
3. Unauthorized use, conspiracy or attempt at unauthorized use, distribution, duplication or possession of any key(s), access code(s) or access card(s) issued for any University building, laboratory, facility, room or elevator will result in disciplinary action.
4. Entry or attempted entry of any University residence hall after closing for breaks or after the scheduled visitation hours, except by residents of the hall through appropriately designated doors, will result in fines, loss of campus residency, or suspension.
5. Propping open or otherwise tampering with any door in an attempt to defeat the closing or locking mechanism, or attempts to circumvent the security of doors may result in a \$300.00 fine, disciplinary room change, restitution, and/or the loss of campus residency.
6. All community members are expected to use doors designated as "Exit Only" and "Emergency Exit Only" for only these purposes. Opening 'exit only' doors to provide access will be considered a violation of the Code.
7. Tampering with, in any way, a Wildcard access reader or supporting equipment, (door latches, wiring, alarms and/or security boxes) will result in disciplinary action up to and including suspension, the loss of campus residency, required community service, fines and/or responsibility for restitution.
8. The misuse of bath and/or shower rooms is prohibited.

## Vandalism

Intentionally, recklessly, or negligently, but not accidentally damaging, destroying, defacing or tampering with University property or the property of another are all prohibited, as is the attempt to or conspiracy to damage, destroy, etc. Such behavior is likely to result in disciplinary action up to and including suspension, the loss of campus residency, required community service, fines and/or responsibility for restitution;

## Implementing the Code of Student Conduct

### Administrative Authority

Maintaining and implementing the Code of Student Conduct is the responsibility of every member of the University community. Students, staff and faculty should, through their conduct, reinforce the ideals expressed by the Code, and encourage every student to do likewise. Administratively, the Dean of Students Office, the Office for Residence Life, and the Department of Public Safety are primarily responsible for assuring compliance with the Code. In most instances, Residence Life staff, the Department of Public Safety, or police jurisdictions will report potential violations of the Code to the Dean of Students Office. The Dean of Students Office is responsible for reviewing student conduct in general, educating students to appropriate community standards, and assigning sanctions for the purpose of encouraging compliance with those standards. Students will be treated with care and respect and in a non-discriminatory manner throughout the resolution process.

While an alleged violation is being investigated and at any time during resolution of the matter, the University may, in its sole discretion, put in place appropriate administrative measures to ensure the safety and well-being of individuals and the community, to preserve evidence, and/or to maintain the integrity of the Code of Student Conduct process.

When a complaint is filed and the investigation complete, the procedures set forth in this Code shall constitute the University's grievance and resolution procedures for alleged violations of the Code of Student Conduct. The Special Procedures Governing Sexual Misconduct are located in the Sexual Misconduct Policy.

## The Expectation of Responsibility for Alcohol and Drug Related Emergencies

In keeping with Augustinian values that promote a caring community, the health and safety of students should be of paramount concern for all Villanova community members. As such, Villanova students are expected to exercise active care and concern and contact appropriate authorities in the event of any health or safety emergency, even if violations of the University alcohol or drug policy may have occurred in connection with such an emergency.

Since a student's concern of possible disciplinary action may unnecessarily deter their desire to seek emergency attention for themselves or others, the University has adopted an Expectation of Responsibility to remove barriers for students seeking emergency attention during alcohol and drug related incidents. This Expectation is intended to create an environment where students receive necessary care, and those involved are provided an opportunity for educational follow-up.

### *Expectations*

In situations where someone requires emergency attention during an alcohol or drug related incident on or off campus, all students are expected to:

1. Immediately and proactively contact an appropriate authority (e.g. Public Safety, Resident Assistant, 911) to seek emergency attention.

2. Remain with the individual requiring emergency attention.
3. Fully cooperate with University officials and emergency responders.

### *For Students Who Help Others*

A student who has sought assistance for another and met the Expectations as described above will be exempt from formal disciplinary sanctions for alcohol or drug policy violations related to the incident. The student may still be referred for educational follow-up or other administrative outcomes. Additionally, this policy does not prevent disciplinary action for violations of other University policies and does not prevent action by outside authorities.

### *For Students Who Require Emergency Attention*

A student requiring emergency attention who has received support in accordance with the above Expectations may be referred for appropriate follow-up under the Code of Student Conduct for alcohol or drug policy violations related to the incident. However, the student will be exempt from any reportable sanctions (i.e. disciplinary probation), except as set forth below. The student may still be referred for educational follow-up, as well as other educational requirements, administrative outcomes, and non-reportable sanctions. This policy does not prevent disciplinary action for violations of other University policies and does not prevent action by outside authorities.

The Expectation of Responsibility is intended to create an environment where a student who has received emergency attention due to an alcohol or drug related incident will learn from the incident and exercise more responsible decision making in the future. As such, the University reserves the right to sanction students with repeated alcohol or drug related incidents involving the need for emergency attention.

### *Responding to Additional Violations*

The Expectation of Responsibility does not exempt any student from disciplinary sanctions for violations of other (i.e. non-alcohol or drug) policies related to the incident including, but not limited to, sexual misconduct, physical or mental harm, hazing, disorderly or indecent conduct, failure to comply, theft, dangerous practices, or vandalism. The University reserves the right to sanction students in cases of repeated or egregious violations, or where there may be an ongoing threat to the University community.

### *Student Clubs and Organizations*

Student organizations are expected to take action in emergency situations both on and off campus. An organization's compliance with the above Expectations will be considered a mitigating factor when determining the University's response to an incident that merits disciplinary sanctions for the organization. In contrast, a student organization's failure to act in accordance with the above Expectations during an emergency situation, or any attempt to conceal such an incident, will be considered an aggravating factor and will undermine their status as a recognized organization.

## **Initiating a Complaint**

Any University student, faculty member or staff member who believes that a student has violated the Code of Student Conduct may file a report with the Dean of Students Office, the Department of Public Safety, or with the Office for Residence Life.

### **Dean of Students Office**

Dougherty Hall  
Room 213  
(610) 519-4200



**Department of Public Safety**

Garey Hall  
Ground Floor  
(610) 519-6979

**Office for Residence Life**

Stanford Hall Ground Floor  
(610) 519-4154/4155

The individual filing the report is referred to in this Code as the Reporter. The individual who is alleged to have been subjected to the misconduct is referred to as the Complainant. In some cases, the Complainant and the Reporter may be the same person. The University may act, in its sole discretion, as the Complainant through a designated staff member or members. After the report is made, the Department of Public Safety investigates the report, as necessary. If a complaint is filed, and once the investigation is complete, the Dean of Students and/or their designate (Conduct Review Officer) will review the complaint and determine whether or not, if proven, the allegations would constitute a violation of the Code. If so, the Complainant will meet with the Dean of Students or the Conduct Review Officer to review the complaint and to discuss the procedural options for resolution.

This meeting will take place promptly after a complaint is filed.

The individual complainant could:

1. Request the University to pursue resolution under the Code of Student Conduct; and/or
2. Make a report to the police department with jurisdiction; and/or
3. Make a statement for the record with the Dean of Students Office, Department of Public Safety, or the Office of Residence Life.

The individual Complainant will normally have three business days after this meeting to decide whether or not to request the University to pursue the complaint, although exceptions to this timeline may be granted in the discretion of the University. The University and its Conduct Review Officers reserve the right to exercise discretion on when and how to resolve a complaint, and in taking disciplinary action under the Code of Student Conduct.

## Procedural Options for Resolution

After a complaint is filed and the investigation is complete, and if the individual complainant and/or the University elect to pursue the complaint, the following procedural options shall constitute the University's resolution processes for alleged violations of the Code of Student Conduct. The University and its Conduct Review Officers reserve the right to exercise discretion on when and how to resolve a complaint and in taking disciplinary action under the Code of Student Conduct.

Alleged violations of the Sexual Misconduct Policy will be resolved under The Special Procedures Governing Sexual Misconduct.

While an alleged violation is being investigated and at any time during resolution of the matter, the University may, in its sole discretion, put in place appropriate administrative measures to ensure the safety and well-being of individuals and the community, to preserve evidence, and/or to maintain the integrity of the Code of Student Conduct process.

In general, the University does not permit observers, relatives, or legal counsel to participate in a resolution process. Additionally, unauthorized recording of any resolution process is strictly prohibited.

Students with documented disabilities may request reasonable accommodations in order to fully and meaningfully participate in a process by contacting the Dean of Students Office. Students should submit accommodation requests in advance to allow adequate time to review, identify and implement any reasonable accommodations.

## **Non-Disciplinary Resolution Options:**

### **Educational Referral**

In certain circumstances, the Conduct Review Officer may refer a student to appropriate University personnel for educational follow-up and resolution of the matter external to the Code of Student Conduct. The Conduct Review Officer will consider the level of severity and the circumstances surrounding the incident, the prior conduct history of the student(s), and other factors in making this determination. Therefore, no disciplinary sanctions will be imposed. The goal is to educate and deter future violations of the Code of Student Conduct. At a minimum, the educational referral is an opportunity to discuss the short- and long-term impact on the individual and the community, and to promote responsible decision making. This education is mandatory and failure to comply may result in a referral back to the Conduct Review Officer for resolution through the procedural options provided in the Code of Student Conduct.

### **Alternative Resolution**

As Villanova aims to create a culture that addresses and repairs harm, and that promotes wellness and mutual love and respect, the University may elect to resolve certain complaints through alternative resolution options outside of a disciplinary process. Examples of alternative resolution include facilitated dialogue, conflict coaching, mediation, counseling, listening circles, restorative conferences, educational follow-up, and other supportive measures, administrative outcomes, or restorative practices.

The Conduct Review Officer, in their sole discretion, may utilize alternative resolution for cases deemed appropriate, and involved students are expected to comply with and participate in alternative resolution attempts. The nature of some cases, including but not limited to those involving sexual misconduct, are not appropriate for alternative resolution.

An alternative resolution process may or may not result in agreement or resolution. At the discretion of the Conduct Review Officer, if resolution is reached through an alternative resolution process, the matter will be considered resolved. Any outcomes, requirements or agreements reached through alternative resolution will be considered binding and failure to abide may result in disciplinary action. If, after reasonable attempts, the matter is not resolved, the Conduct Review Officer may elect to resolve the complaint through the other procedural options provided in the Code of Student Conduct.

The Conduct Review Officer may consult, as needed, with other University officials regarding alternative resolution, and may refer students to appropriate University personnel or third parties to facilitate an alternative resolution process.

## **Disciplinary Resolution Options:**

### **Administrative Response**

In cases where a violation results in a sanction no greater than a Conduct Notice and/or a Disciplinary Fine that does not exceed \$150.00, the University may elect to respond to the violation by administratively sanctioning the student and notifying them in writing. Upon receipt of notice of the sanction, the student may request a Conduct Review Meeting if there is any objection to the violation or the imposed sanction.

### **Conduct Review Meeting**

In cases where the University elects to pursue disciplinary action under the Code of Student Conduct, the Conduct Review Officer will schedule a Conduct Review Meeting with the accused student (hereafter referred to as the "Respondent"). The Conduct Review Officer will notify the

Respondent in writing of the date, time and location of the meeting, the alleged violation(s) in question, the procedural rights and resolution options available, and the potential sanctions for the alleged violation(s).

At the Conduct Review Meeting, the alleged violations of the Code of Student Conduct are discussed, and the Respondent is afforded the opportunity to review the information which forms the basis for the allegation. If a student fails to respond to notice of a meeting with the Conduct Review Officer, they may find the student responsible in their absence and sanction the student accordingly, and/or place a hold on the student's record until the meeting takes place.

During the meeting, students who accept responsibility for the alleged violations will be sanctioned accordingly by the Conduct Review Officer and will receive notice of the sanction(s) imposed. Acceptance of responsibility may be rejected by the Conduct Review Officer in any case that warrants additional investigation. Students who accept responsibility do not waive their right to appeal for review of sanction as outlined in the Code.

When students deny responsibility for an alleged violation, or the facts of a specific incident are in question, the Conduct Review Officer will determine responsibility for alleged violations by reviewing the complaint in a manner chosen by the Conduct Review Officer that will endeavor to ensure fairness to all involved. The Conduct Review Officer will generally follow similar procedures as outlined for a Conduct Review Board when making their determination. Students found responsible by the Conduct Review Officer will be sanctioned accordingly and will receive notice of the sanction(s) imposed.

In cases where students deny responsibility, or the facts of a specific incident are in question, or where acceptance of responsibility has been rejected by the Conduct Review Officer, the Conduct Review Officer may at any time determine in their discretion that due to the seriousness of the potential sanctions, or the nature or complexity of the facts of the case, that it would be beneficial to refer the matter to a Conduct Review Board. The Conduct Review Officer may consult with appropriate University officials in making this determination.

### **Conduct Review Board**

As an institution of higher education, Conduct Review Board proceedings are administrative in nature and designed to determine responsibility for alleged violations. As such, the Board's procedures are governed by University policies, not by processes associated with the criminal justice system. A Conduct Review Board (Board) is generally composed of one student and two faculty/staff members. All Boards will have student body representation on them. All members of the Board shall be impartial with no conflict of interest between the Board member and any party. The Conduct Review Officer, as assigned by the Dean of Students, will facilitate the administrative and logistic needs of the Board and assure orderly proceedings and fairness is observed.

The Conduct Review Officer will inform the Complainant and Respondent of the Board's procedures and the date and time of the review. The Complainant and Respondent are expected to cooperate fully with the Board. If either party fails to appear at a scheduled proceeding, the Board may proceed without them.

The Complainant and/or the Respondent may challenge the composition of the Conduct Review Board if they believe that a conflict of interest exists with a Board member. The student making this challenge must submit a written request to the Conduct Review Officer with specific and verifiable documentation. All objections must be raised within three days of receiving notification of the composition of the Conduct Review Board. The Conduct Review Officer will make the determination whether to replace the Board member. The Complainant and Respondent may not contact members of the Board, or have third parties contact the Board, prior to the convening of the Board.

All proceedings shall be held in appropriate facilities designated by the Conduct Review Officer and shall be private. The Conduct Review Officer may accommodate concerns for the personal safety, well-

being and/or fears of confrontation of the Complainant, Respondent, and/or other witnesses during the disciplinary proceedings, as determined in the sole judgment of the Conduct Review Officer to be appropriate.

The University does not permit observers, relatives, or legal counsel for either the Complainant or the Respondent to participate at proceedings or be present during proceedings. Additionally, unauthorized recordings of the proceedings are not permitted.

In Board proceedings involving more than one Respondent, the Conduct Review Officer, in his or her sole discretion, may permit the proceedings concerning each student to be conducted either separately or jointly.

The Complainant and the Respondent may present statements concerning the alleged violation and may present relevant witnesses. The witnesses must be identified in advance, and their statements should be included in the investigation conducted by the Department of Public Safety. The Board may consider written statements or other supporting documentation. The Respondent and the Complainant may review all written statements and materials presented to the Board prior to the commencement of the proceedings. During the proceedings, the Respondent, the Complainant and the witness will direct their comments only to the Board. Witnesses will provide information to and answer questions from the Board. Questions may be suggested by the Respondent and/or Complainant to be answered by each other or by other witnesses. In such instances, those questions will be directed to the Board rather than to the witness directly. The Board in its discretion will determine whether or not those questions are appropriate, relevant and not repetitious. This method is used to preserve the educational tone of the proceedings and to avoid creation of an adversarial environment.

Formal rules of evidence shall not apply. In the Board's discretion, evidence, including hearsay, shall be permitted if it is relevant, reliable, not unduly repetitious, and it is the sort of information on which responsible persons are accustomed to rely in the conduct of serious affairs. Evidence of character will not be considered by the Board in making factual determinations.

After all statements and materials have been presented, the Complainant and the Respondent may present final comments to the Board.

Subsequently and in private, the Board will promptly determine by a preponderance of the evidence with a majority vote whether the Respondent has violated the Code of Student Conduct. The Board will make its decision known to the Conduct Review Officer. The Conduct Review Officer will promptly convey the Board's decision to both the Respondent and the Complainant. This notification will occur separately and nearly simultaneously. The Conduct Review Officer will then determine the sanction.

The University may maintain such records of the proceedings as the Conduct Review officer deems appropriate for the circumstances, which may include findings of fact. If, during the course of the proceedings, further violations of the Code of Student Conduct become apparent, the Board may recommend that such allegations be considered as a separate case.

Consistent with Federal regulations, for cases involving an alleged crime of violence, the Complainant will be informed of the final results of the disciplinary process.

## Student Procedural Rights and Responsibilities

### **Student Procedural Rights**

In cases where the University elects to pursue disciplinary action under the Code of Student Conduct, the Conduct Review Officer will utilize the Disciplinary Resolution Options provided in the Procedural Options for Resolution section of the Code of Student Conduct. In the case of a Conduct Review Meeting, the Conduct Review Officer will schedule a meeting with the accused student (hereafter

referred to as the “Respondent”), and will notify the Respondent in writing of the date, time and location of the meeting, the alleged violation(s) in question, the procedural rights and resolution options available, and the potential sanctions for the alleged violation(s).

At the Conduct Review Meeting, the alleged violations of the Code of Student Conduct are discussed, and the Respondent is afforded the opportunity to review the information which forms the basis for the allegation. If a student fails to respond to notice of a meeting with the Conduct Review Officer, they may find the student responsible in their absence and sanction the student accordingly, and/or place a hold on the student’s record until the meeting takes place.

### **Rights of the Respondent**

1. The right to choose whether or not to participate in disciplinary proceedings, with the understanding that findings and sanctions may be imposed with or without such participation;
2. The right to notice of the allegation that a violation of the Code has taken place;
3. The right to notification of disciplinary proceedings related to the complaint and of prompt time frames anticipated for major stages of the complaint process;
4. The right to notice of the factual allegations which form the basis for the complaint;
5. The right to a prompt and impartial response and resolution of complaints;
6. The right to have the University or Complainant bear the burden of proof by a preponderance of the evidence;
7. The right to present relevant statements, materials and witnesses during disciplinary proceedings;
8. The right to review all written statements and materials presented at the proceedings;
9. The right to notification of any finding of responsibility;
10. The right to be free from retaliation for participating in the University’s investigation and fact-finding process; and
11. The right of appeal consistent with the provisions of this Code.

### **Rights of the Complainant**

1. The right to choose whether or not to participate in disciplinary proceedings;
2. The right to notification of disciplinary proceedings and of prompt time frames anticipated for major stages of the complaint process;
3. The right to notice of the factual allegations based on any response by the Respondent;
4. The right to a prompt and impartial response and resolution of the complaint;
5. The right to present relevant statements, materials and witnesses during the disciplinary proceedings;
6. The right to review all written statements and materials presented at the proceedings;
7. The right to notification of the outcome of the complaint as set forth herein;
8. The right to be free from retaliation for filing a complaint or participating in the University’s investigation and fact-finding process; and
9. The right of appeal consistent with the provisions of this Code.

### **Student Procedural Responsibilities**

1. Students are expected to appear for scheduled disciplinary meetings with the Conduct Review Officer. If a student fails to respond to notice of a meeting, the Conduct Review Officer may find the student responsible in their absence and sanction the student accordingly, and/or place a hold on the student’s records until the meeting takes place.
2. Students are expected to comply with and carry out all conditions of a disciplinary sanction. Failure to comply with a sanction will be considered a violation of the Code of Student Conduct and may result in a more severe sanction than the one already imposed, and/or a hold on the student’s record until the sanction is complete.
3. Students are expected to pay assessed disciplinary fine(s). Failure to pay disciplinary fines will result in a hold on the student’s record, and may result in further disciplinary action.

4. Students identified as potential witnesses to alleged violations of the Code of Student Conduct are expected to participate fully in the process, as appropriate. Students who fail to comply may be in violation of the provisions of this paragraph and sanctioned appropriately.
5. Persons who participate in the conduct review process in any capacity (i.e., Complainant, Respondent, witness, etc.) should be free from harassment, intimidation, undue pressure or other unfair treatment before, during and after the process. Any conduct that can be reasonably viewed as an attempt to unduly influence the filing of a report, the filing of a complaint, or participation in the conduct review process will not be tolerated. Any adverse treatment of any person that can be reasonably viewed as directly related to their current or prior participation in the conduct review process will not be tolerated.

## Sanctioning

After the finding or acceptance of responsibility, the Conduct Review Officer will impose sanctions after considering the following:

1. The nature of the violation and the circumstances surrounding it, including the actual or potential impact on the individuals involved and/or the community as a whole;
2. Statements made and/or information presented during the conduct review process;
3. Disciplinary history of the student;
4. Disciplinary precedent;
5. Guidelines in the Code of Student Conduct.

The Conduct Review Officer, in their discretion, will consider overall severity and any aggravating and/or mitigating factors related to the violation when determining sanctions. Bias-based conduct will be considered an aggravating factor and therefore subject to more severe sanctions. In some cases, cooperation during the incident may be considered a mitigating factor. Additionally, and when appropriate, the Conduct Review Officer may consider level of intent, demonstrated remorse, and the student's understanding of their impact when determining outcomes.

The Conduct Review Officer may consult with other University officials as they deem appropriate.

## Sanctions for Violations of the Code

Sanctions serve to reinforce that students are held responsible and accountable for their conduct. This is accomplished by measures whose purposes are to educate and to deter future misconduct, to acknowledge and repair harm inflicted on the community, to provide accountability for one's conduct, and to promote the health, safety and wellness of the individual and community.

Villanova University reserves the right to notify family/legal guardian(s) about the disciplinary status of their student, to the extent consistent with the provisions of the Family Educational Rights and Privacy Act.

The following sanctions and measures shall comprise the range of official actions which may be imposed for violations of regulations. Any violation of the Code of Student Conduct may result in the full range of sanctions outlined below, and one or more may be imposed in response to a given situation.

## **Disciplinary Sanctions**

### Non-Reportable Disciplinary Sanctions

The following non-reportable disciplinary sanctions provide notice to a student that their conduct is in violation of University policies, and therefore unacceptable. Continuation of similar conduct or future violations will result in more severe sanctions, which may impact a student's disciplinary standing at the University. Non-reportable disciplinary sanctions are not disclosed to external third-parties, except when required by law.

## **Conduct Notice**

A Conduct Notice is a written notification to a student that their conduct is in violation of University policy, and that future violations may be cause for additional disciplinary action, including more severe sanctions. This notification typically is delivered via University email and requires no in-person meeting with a Conduct Review Officer.

## **Conduct Warning**

A Conduct Warning is an official notice to a student that their conduct has violated the standards and expectations of the University. Future violations likely will result in additional disciplinary action, including more severe sanctions.

## **Probationary Warning**

Probationary Warning is an official notice to a student that their conduct has violated the standards and expectations of the University and similar conduct or continued non-compliance with University policy likely will result in Disciplinary Probation or more severe sanctions.

## **Reportable Disciplinary Sanctions**

The following reportable disciplinary sanctions typically are the outcome of serious or repeated violations of the Code of Student Conduct. These sanctions impact a student's disciplinary standing at the University, and may include other restrictions and/or conditions of membership. Reportable disciplinary sanctions are disclosed to authorized external third-parties for a stated period of time, in accordance with the Student Conduct and Concern Records Policy. Typically, family/legal guardian(s) are notified when a student is issued a reportable sanction.

## **Disciplinary Probation**

Disciplinary Probation is a defined period of time during which a student is not in good disciplinary standing with the University. This sanction serves as an official notice that a student's continued membership at the University is conditional and dependent upon demonstrated and sustained compliance with University policy. Continued violations of University policy or non-compliance with the conditions of Disciplinary Probation will result in more severe sanctions, including suspension or expulsion from the University. Eligibility for certain academic or extra-curricular organizations or programs may be restricted while a student is on Disciplinary Probation.

## **Disciplinary Probation with Loss of Privilege**

Disciplinary Probation with Loss of Privilege is a defined period of time during which a student is not in good disciplinary standing with the University. This sanction serves as an official notice that a student's continued membership at the University is conditional and dependent upon demonstrated and sustained compliance with University policy. Additionally, for the defined period of time, this sanction excludes a student from all extracurricular University privileges, including, without limitation: membership in student organizations; participation and/or attendance in non-academic activities, programs, and events; representing the University in intercollegiate and athletic teams and clubs; holding any elected or appointed office in a University recognized organization; and selection for extracurricular committees or programs. Eligibility for certain academic programs may also be restricted. This sanction permits a student to pursue their academic course work and is the strongest sanction short of suspension. Additional violations of University policy or non-compliance with the conditions of this sanction will result in suspension or expulsion.

## **Suspension**

Suspension is a defined period of time during which a student is excluded from class registration, class attendance, residence on campus, use of University facilities, and the award of any degree. Suspended students are not permitted on the campus without prior approval from the Dean of Students Office. Upon completion of the period of suspension, a student will be considered for readmission if:

1. The student is academically eligible for readmission; and
2. The student has complied with all conditions for readmission placed upon the student by the Dean of Students and/or their designate.

Students who are permitted to return to the University following a period of Suspension will automatically be placed on Disciplinary Probation for a designated period of time. Students may also be subject to additional terms or conditions of Probation, including Loss of Privilege, upon their return.

### **Expulsion**

Expulsion is an action which permanently excludes a student from class registration, class attendance, residence on campus, use of University facilities, and the award of any degree. Expelled students are not permitted on the campus for any reason, and those who enter the campus are subject to arrest.

## **Housing Sanctions**

As living on campus is a privilege and not a right, Housing Sanctions typically are issued in cases where a residential student's conduct has also impacted the residential community. Housing Sanctions may be issued separately or in conjunction with Disciplinary Sanctions. Housing Sanctions are not disclosed to external third-parties, except when required by law.

### **Housing Probation**

Housing Probation is a defined period of time during which a student's status as an on-campus resident is conditional and dependent upon demonstrated and sustained compliance with University policy. Future violations will result in more severe disciplinary sanctions, including loss of campus residency. Additional housing measures may also be issued as a condition of Housing Probation. Typically, family/legal guardian(s) will be notified when a student is placed on Housing Probation.

### **Loss of Campus Residency**

An action which excludes a student from residence on campus, either on a temporary or permanent basis.

### **Additional Housing Measures**

In addition to the housing sanctions above, students may be subject to one or more of the following.

1. Guest and Visitation Restrictions: An action which restricts guest and visitation privileges, including a student's ability to host guests in their room/apartment and/or visit other rooms/apartments or residence halls. These restrictions may also impact a student's ability to utilize common lounge space or participate in residence hall activities.
2. Residence Hall Room Change: An action which requires a student to vacate their current room/apartment and relocate to another room/apartment and/or residence hall.
3. Restrictions on Housing Selection: An action which may exclude a student from participation in a particular housing lottery, or affect their ranking within a particular lottery, or affect eligibility to live in certain residence halls.
4. Other Administrative Housing Measures, as appropriate.

## **Additional Disciplinary Measures**

In addition to the sanctions above, students may be subject to one or more of the following. These measures are not disclosed to external third-parties except when required by law.



1. Fines: Payment by the student of reasonable monetary fines to the Bursar's Office. These monetary payments may be for accountability purposes or for purposes of restitution because of damage to persons or property, or misappropriation of property.
2. Exclusion from University Property, University Buildings, University Events or Programs, Student Organizations, Intramural or Club Sports, and/or Extracurricular Activities for a stated period of time.
3. Community Service: An action that requires a student to give a specific number of hours of uncompensated service to an effort recognized as valuable to the University community. The Conduct Review Officer will make the particular assignment of duties. The person under whose direction the work is done shall certify to the Conduct Review Officer when the work has been completed. Failure to complete the service within a specific period of time will result in additional disciplinary action. The Conduct Review Officer has the discretion to assign work in the community-at-large or on-campus service.
4. Family/Legal Guardian Notification: the notification to a student's family/legal guardian(s) regarding the disciplinary violations, and/or sanctions related to a student, to the extent consistent with the provisions of the Family Educational Rights and Privacy Act.
5. Dean of Students Hold on Records: A hold may be placed on the academic records of any student who fails to comply with any requirements imposed following a violation of the Code of Student Conduct. A hold may prevent, among other things, class registration, the release of transcripts, and the award of a diploma. Students who are suspended or expelled from the University are subject to a hold to prevent class registration.
6. Educational Measures: An action that requires the student to complete an educational task as assigned by the Conduct Review Officer or the Dean of Students. Failure to complete this assignment within a specific period of time will result in additional disciplinary action. They include but are not limited to research and educational written assignments, alcohol and drug education, trainings, workshops and other educational programs.
7. No Contact Directive: This is an official notice to a student that they may not communicate or interact with another individual. This directive may prohibit contact of any kind including, but not limited to, in-person, by phone, text message, social media, or any other electronic means. This also includes contact through third-parties.
8. Withholding a Degree: The University may withhold awarding a degree otherwise earned for a stated period or until the completion of the Conduct Review Process set forth in this Code, including the completion of any sanction imposed.
9. Other Administrative Measures, as appropriate.

## Appeals

The Dean of Students or their designate (hereafter referred to as the "Dean of Students") will review appeals for new disciplinary proceedings or a review of sanction. During the appeal process, students may be subject to certain restrictions impacting such things as: class attendance; on-campus housing; participation and/or membership in organizations, athletic events/teams/clubs, and/or extracurricular activities; attendance at University events/functions; and access to University buildings. The Dean of Students may consult with other University officials as they deem appropriate. All decisions made by the Dean of Students are final, including whether or not an appeal is procedurally permitted.

### **A. Appeal for New Disciplinary Proceeding**

The Respondent and the Complainant have the right to file a written appeal for a New Disciplinary Proceeding to the Dean of Students. Appeals for a New Disciplinary Proceeding may be filed only for the following reasons:

1. Material procedural defect in the original disciplinary proceeding where the outcome results in a reportable sanction, or
2. Presence of new material evidence that was not available through no fault of the appealing party at the time of the original disciplinary proceeding.

The student filing the appeal must submit a typewritten appeal within two business days of notification of the outcome of the disciplinary proceedings stating the specific reason and justification for the appeal. The Dean of Students will review the appeal promptly and notify the student, who has filed the appeal, of the outcome.

## **B. Appeal for Review of Sanction**

The Respondent has the right to file a written appeal to the Dean of Students where the sanction is expulsion, suspension, or permanent loss of campus residency, and the student filing the appeal believes that the sanction is disproportionate to the offense. Other sanctions are not subject to review. Review of the sanction may occur only after the disciplinary proceedings have been completed and a sanction has been imposed. For the purposes of this sanction review, the Dean of Students will accept as binding the previous decision that the Respondent has violated the Code of Student Conduct.

The student filing the appeal must submit a typewritten appeal within two business days of notification of the sanction stating the reason why the sanction is disproportionate to the offense. They must schedule a date and time to discuss the appeal with the Dean of Students within five business days of notification of the sanction. Parents or guardians are permitted to participate in this discussion. The Dean of Students will review the sanction appeal and advise the student filing the appeal of their decision in writing.

# **Special Procedures Governing Sexual Misconduct Proceedings**

## **IMPLEMENTING THE CODE OF STUDENT CONDUCT**

When a formal complaint has been filed and the investigation is complete, the procedures set forth below (“Special Procedures”) shall constitute the University’s Title IX and Sexual Misconduct grievance procedures for addressing alleged violations of the Policy on Sexual Misconduct where the accused is a student. The University’s full Sexual Misconduct policy can be found at: <https://villanova.policytech.com/docview/?docid=199&public=true9>.

## **DISABILITY ACCOMMODATIONS**

These procedures do not alter Villanova University’s obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for documented disabilities to the Title IX Coordinator, investigator(s) and/or Conduct Review Officer at any point before or during the grievance process that have not been specifically requested by a party, or where that party may be receiving accommodations that have not been specifically requested by a party, even where that party may be receiving accommodations in other institutional programs and activities. Requests should be submitted in advance to allow sufficient time to review, identify and implement any reasonable accommodations.

1. **REPORTING SEXUAL MISCONDUCT**
2. **STUDENT PROCEDURAL RIGHTS**
  - A. **Rights of the Respondent**
  - B. **Rights of the Complainant**
3. **INFORMAL RESOLUTION PROCESS**
4. **FORMAL RESOLUTION**
  - A. **Acceptance of Responsibility**

- B. **Conduct Review Board**
  - i. **Notice and Participation**
  - ii. **Consolidation Options**
  - iii. **Composition of the Board**
  - iv. **Hearing Procedures**
  - v. **Advisors**
  - vi. **Presentation of Evidence at the Conduct Review Board Hearing**
  - vii. **Closing Statements and Deliberations**
  - viii. **Determination Regarding Responsibility**
- 5. **SANCTIONS**
  - A. **Sanctions for Violations of the Code of Student Conduct**
- 6. **APPEALS**
  - A. **Grounds for Appeal**
  - B. **Process to Appeal**

## 1. REPORTING SEXUAL MISCONDUCT

Any University student, faculty member or staff member or individual who believes they have been subjected to sexual misconduct and that a current student has violated the University's Policy on Sexual Misconduct, may initiate a report through the Title IX Coordinator, Deputy Title IX Coordinator, Dean of Students Office, Department of Public Safety, Office for Residence Life, or EthicsPoint Hotline<sup>[1]</sup>. Such a report may be made at any time (including during non-business hours) by using the contact information below:

**Title IX Coordinator** – Ms. Ryan Rost, 204 Tolentine Hall, [ryan.rost@villanova.edu](mailto:ryan.rost@villanova.edu) 610-519-8805

**Deputy Title IX Coordinators** - [Click Here](#) for complete list with contact information.

**Dean of Students Office** – 213 Dougherty Hall, 610-519-4200

**Department of Public Safety** - Garey Hall, 610-519-4444 (24/7)

**Office for Residence Life** - Stanford Hall ground floor, 610-519-4150/4154

**EthicsPoint Hotline**<sup>1</sup> – [www.villanova.ethicspoint.com](http://www.villanova.ethicspoint.com) or 855-236-1443

The individual making the report is referred to in these Special Procedures as the Reporter. The individual who is alleged to have been subjected to sexual misconduct is referred to as the Complainant. A Respondent refers to the person reported to be the perpetrator of conduct that could constitute sexual misconduct under the University's Sexual Misconduct Policy.

When the Title IX Coordinator receives a report of sexual misconduct, they will contact the Complainant to discuss the availability of supportive measures with or without the filing of a formal complaint and explain the process for filing a formal complaint. A formal complaint can be filed by the Complainant in person, mail, email or through other reporting means, but must include a signed (physical or digital signature) written description of the facts alleged and request that the University

investigate the matter. In certain circumstances where a Complainant does not wish to file a formal complaint, one may be filed by the Title IX Coordinator to address the safety of the broader educational community. In such cases, the University will inform the Complainant and will share the University's reasoning for needing to file a Formal Complaint as outlined in Section IV.E of the Villanova University [Sexual Misconduct Policy](#). The Complainant may still decide whether and how much they want to be involved in any next steps. As in all cases, the University will only share information with those needing to know in order to conduct the needed investigation and University's response to the report of sexual misconduct. Whether a report results in a full investigation or not, the University will remain ever mindful of the well-being of those involved and take ongoing steps to prevent retaliation. The University will take action to assist those involved consistent with their wishes. A variety of supportive measures are available to those involved as outlined in Appendix B of the [Sexual Misconduct Policy](#).

The time frame for resolution begins with the filing of a Formal Complaint. Generally speaking, the University will complete the administrative investigation and resolution of all reports within a reasonably prompt manner, and no longer than ninety (90) business days after the filing of the Formal Complaint. Periodic updates as to the status of the review or investigation will be provided to both the Complainant and Respondent. The frequency of these updates will be discussed with the Complainant and Respondent as each case is unique, and the process for handling the matter will be impacted by factors such as the complexity of the investigation, the scope of the allegation, the parties' schedules and availability, the academic calendar, and any concurrent criminal investigation.

If a formal complaint is filed, an investigation by a trained investigator will commence and the parties will be provided with options for informal and formal resolution as outlined below. Once the investigation is complete, the Complainant, Respondent and their advisors will have the opportunity to review relevant documentation related to the investigation. After review, the matter may be referred to the Dean of Students. The Dean of Students and/or their designate (Conduct Review Officer) will review the complaint and investigation and determine whether or not, if proven, the allegations would constitute a violation of the University's Sexual Misconduct Policy. If so, the Complainant will meet with the Dean of Students or the Conduct Review Officer to review the complaint and to discuss the procedures available to them. This meeting will take place promptly after the matter has been referred to the Dean of Students. If not, the procedures for University dismissal of Formal Complaints and appeals for such dismissals are outlined in Section IV E of the Sexual Misconduct Policy.

The individual Complainant will normally have five (5) business days after this meeting to decide whether or not to request the University to pursue the matter under these Special Procedures (which also constitutes the University's Title IX and Sexual Misconduct grievance procedures); however, this time frame may be relaxed in recognition of the unique and complicated dynamics that often confront an individual following an incident of sexual misconduct. The University will provide the individual with resources and information to assist in making an informed and supported choice as to how to proceed. In the event an individual chooses not to pursue resolution of a complaint under these procedures, the University will continue to provide appropriate supportive measures to the parties.

Generally speaking, the University will complete a resolution process involving alleged sexual misconduct in a prompt and timely fashion. All time periods for hearings may be extended by the University in its sole discretion based on the complexity of the case, the seriousness of the offense, or other extenuating circumstances.

If the Complainant and/or the Respondent intend to have their advisor (as defined below) accompany them to any meetings with the Conduct Review Officer, they must provide the name and contact information of the advisor to the Conduct Review Officer at least three (3) business days prior to the initial meeting. If the same advisor accompanies the party to subsequent meetings, additional notification is not required.

## 2. STUDENT PROCEDURAL RIGHTS

Once a Complainant has decided to pursue the complaint through these Special Procedures, the Conduct Review Officer will promptly meet with the Respondent to review the rights and options available and describe potential sanctions for the alleged violation in question. If a student fails to respond to the notice of a meeting with the Conduct Review Officer, the resolution may proceed in their absence and/or a hold may be placed on the student's records until the meeting takes place.

If a Respondent chooses to withdraw from the University subsequent to the filing of a formal complaint, the University may elect to continue with the grievance procedures in their absence and may take appropriate steps to restrict their access to campus and/or University programs.

### A. Rights of the Complainant

1. The right to choose whether or not to participate in grievance procedures;
2. The right to notification of the grievance procedures;
3. The right to be notified of the availability of Supportive Measures as outlined in the University's Sexual Misconduct Policy;
4. The right to review all evidence and the investigative report;
5. The right to a prompt and impartial response and resolution of the complaint;
6. The right to present relevant statements, materials and witnesses during the grievance procedures;
7. The right to have an advisor of choice throughout the process or appointed by the University for a hearing;
8. The right to have available at the hearing all relevant evidence and the investigative report;
9. The right to have an advisor ask questions of any witnesses and/or the Respondent at designated times during a hearing;
10. The right to written notification of:
  1. any finding of responsibility
  2. findings of fact supporting the determination

3. statement of and rationale for the result as to each allegation
4. any disciplinary sanctions imposed
5. any remedies provided
11. The right to be free from retaliation for filing a complaint or participating in the University's grievance process; and
12. The right of appeal consistent with the provisions of these Special Procedures.

## B. Rights of the Respondent

1. The right to choose whether or not to participate in the grievance procedures, with the understanding that findings and sanctions may be imposed with or without such participation;
2. The right to notice of the allegation that a violation of the Code has taken place;
3. The right to notification of the grievance procedures;
4. The right to be notified of the availability of Supportive Measures as outlined in the University's Sexual Misconduct Policy;
5. The right to review all evidence and the investigative report;
6. The right to a prompt and impartial response and resolution of complaints;
7. The right to be presumed not responsible until found otherwise;
8. The right to have the University bear the burden of proof by a preponderance of the evidence;
9. The right to present relevant statements, materials and witnesses during grievance procedures;
10. The right to have an advisor of choice throughout the process or appointed by the University for a hearing;
11. The right to have available at the hearing all relevant evidence and the investigative report;
12. The right to have an advisor ask questions of any witnesses and/or the Complainant at designated times during a hearing;
13. The right to written notification of:
  1. any finding of responsibility
  2. findings of fact supporting the determination
  3. statement of and rationale for the result as to each allegation
  4. any disciplinary sanctions imposed
  5. any remedies provided to the Complainant
14. The right to be free from retaliation regardless of participation in the University's grievance process; and
15. The right of appeal consistent with these Special Procedures.

### 3. INFORMAL RESOLUTION PROCESS

At any time after the filing of a formal complaint, either the Complainant or Respondent may request informal resolution in lieu of formal resolution. All requests for informal resolution must be in writing to the Title IX Coordinator. The parties are not required to attempt informal resolution, and informal resolution is not appropriate for all types of alleged conduct. The University shall determine if the matter is eligible for informal resolution.

If the University has determined the matter is eligible for informal resolution and both parties consent to the process in writing, the matter will be referred to the appropriate University official or third party engaged by the University to facilitate the process. Both parties may consult with an advisor before and during the informal resolution process, and the advisor may accompany the Complainant or Respondent to any meetings in connection with the process. Any agreed upon resolution reached by the parties is subject to the University's final approval. This includes any resolution reached by the parties without the University's active participation or involvement.

At any time, either party may elect to discontinue the informal resolution process by providing written notice to the designated University official. The University reserves the right to discontinue the informal resolution process: if information becomes available which makes the matter ineligible for informal resolution; if there are health or safety concerns that have not been adequately addressed; if an acceptable resolution cannot be reached between the parties; or under other appropriate circumstances.

Once the informal resolution reaches an agreed-upon conclusion, which must be approved by the University and acknowledged by the parties in writing, the matter will be considered resolved and not eligible for further informal or disciplinary resolution. The informal resolution is not subject to appeal. Alleged violations of the terms of the resolution, retaliation, or other violations will be considered a new and separate matter and will not reopen the original matter.

### 4. FORMAL RESOLUTION

Formal resolution of alleged violations of the Sexual Misconduct Policy will occur by acceptance of responsibility or by a Conduct Review Board Hearing.

#### A. Acceptance of Responsibility

If the facts of the case are not in dispute, a Respondent has the option to accept responsibility.

Following the acceptance of responsibility, the student will be sanctioned accordingly by the Conduct Review Officer utilizing the sanctioning considerations outlined below. Acceptance of responsibility may be rejected by the Conduct Review Officer. The Conduct Review Officer will provide all parties written notice of the sanction(s) imposed. Acceptance of responsibility does not waive the right to appeal as outlined below.

#### B. Conduct Review Board Hearing

Conduct Review Board hearings are designed to determine responsibility for alleged violations. As such, the Board's procedures are governed by University policies consistent with federal and state law.



### i. Notice and Participation

The Conduct Review Officer will inform the Complainant and Respondent of the hearing procedures, date, and time. The Complainant and Respondent are expected to cooperate fully with the Board during the hearing. If either party fails to appear at a scheduled hearing, the Board may proceed without them.

### ii. Consolidation Options

In Board hearings involving more than one Respondent, the Conduct Review Officer, in consultation with appropriate University officials, may permit the hearing concerning each student to be conducted either separately or jointly.

In situations involving multiple complaints pending against the same Respondent arising out of the same facts or circumstances, the University has discretion to consolidate complaints in situations that arise out of those same facts or circumstances. The University also has discretion, but not the obligation, to solicit and consider the input of the parties regarding the consolidation of hearings. If, during the course of the hearing, further violations of the Code of Student Conduct become apparent, the Board may recommend that such alleged violations be considered as a separate case.

### iii. Composition of the Board

A Conduct Review Board (Board) is generally composed of a chair of the Board, who is normally an attorney (Chair) and three trained faculty/staff members. All members of the Board shall be impartial with no conflict of interest between the Board member and any party. All members of the Board shall receive appropriate training prior to serving on the Board of any case involving such allegations.

The Complainant and/or the Respondent may challenge the composition of the Conduct Review Board if they believe that a conflict of interest exists with a Board member. The party making this challenge must submit a written request to the Conduct Review Officer with specific and verifiable documentation. All objections must be raised within five (5) business days of receiving notification of the composition of the Conduct Review Board. The Conduct Review Officer will make the determination whether to replace the Board member. The Complainant and Respondent may not contact members of the Board, or have third parties contact the Board, prior to the convening of the Board.

### iv. Hearing Procedures

The Chair shall actively participate in the hearing, ask questions, run the hearing, advise the Board on procedural and legal issues, and draft the determinations reached by a majority of the Board. The Chair may or may not be an employee of the University and shall be a non-voting member of the Board.

The Conduct Review Officer, as assigned by the Dean of Students, will facilitate the administrative needs of the Board and will be present during the hearing to provide assistance to the Board.

All hearings shall be held in appropriate facilities designated by the Conduct Review Officer and shall be private. The Conduct Review Officer can provide for the hearing to occur virtually with technology that enables the parties to appear remotely from separate locations. A transcript of the hearing will be made available to the parties to inspect or review upon request.

Disruptive, threatening, intimidating, or uncivil behavior will not be tolerated. Violations will normally result in a warning being issued by the Chair, or the Conduct Review Officer. Repeated violations may result in the offending party being asked to leave the hearing.



#### v. Advisors

A Complainant, and/or a Respondent participating in a Conduct Review Board hearing must be accompanied by an advisor. This can be an advisor of their choosing or, if needed, a University-appointed advisor. The advisor may include legal counsel. If the party's advisor of choice is different from the advisor attending previous meetings with the Conduct Review Officer, the party must inform the Conduct Review Officer. This notification must be in writing, a minimum of five (5) business days in advance of the hearing and include the name and contact information for the advisor.

The advisor may provide support, guidance, or advice to the involved student before and during the proceeding. The advisor will not offer testimonial evidence or answer questions on behalf of their advisee; the advisor may not question their advisee; and the advisor may not present opening or closing remarks. At designated times during the hearing, the advisor may only ask questions of the other party and witnesses in compliance with the Board's procedures and the University's policies and procedures.

#### vi. Presentation of Evidence at the Conduct Review Board Hearing

The Complainant and the Respondent, may present:

- opening and closing statements concerning the alleged violation(s);
- relevant documentation gathered during the investigatory process;
- relevant witnesses identified during the investigatory process.

The Respondent and the Complainant and their advisors may review all evidence and the investigative report provided to the Board prior to the commencement of the hearing and have all evidence and the investigative report available to them during the hearing.

Formal rules of evidence shall not apply. In the Chair's discretion, evidence, shall be permitted if it is relevant, reliable, not unduly repetitious, and it is the sort of information on which responsible persons are accustomed to rely in the conduct of serious affairs.

During the hearing, the parties and witnesses will provide information to and answer questions from the Board. Except for questioning by the advisor, the Respondent, the Complainant, the advisors, and the witnesses will direct their comments and/or questions only to the Board. The Conduct Review Board may consider statements of all parties and witnesses, regardless of their participation in the proceedings. Before any questions are answered, the Chair will determine if the question is relevant. Questions that are determined to be irrelevant and/or duplicative of those already asked may be disallowed.

In general, the following types of evidence and questions are not relevant:

- Evidence and questions about the Complainant's sexual predisposition or prior sexual behavior unless:
  - Such questions and evidence are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
  - The questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.

- Any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

In addition, evidence of pattern of similar conduct by Respondent may also be deemed relevant based on the attendant facts and circumstances. Any party seeking admission of prior sexual history and/or evidence of similar conduct, or seeking to challenge such evidence, must do so in writing: by advising the investigator during the investigatory process; and/or by advising the Conduct Review Officer in advance of the hearing. The written notice shall set forth the evidence the party is seeking to introduce and the relevancy of such information.

The Chair will make the determination as to the admissibility of this information or questions and will instruct all parties accordingly regarding any limit in scope or admissibility.

#### vii. Closing Statements and Deliberations

After all statements and materials have been presented, the Complainant and the Respondent and/or their respective advisors may present final comments to the Board. **Subsequently and in private, the Board will promptly determine by a preponderance of the evidence whether the Respondent has violated the Code of Student Conduct.** The Board's determination shall be by majority vote.

#### viii. Determination Regarding Responsibility

The Conduct Review Officer will simultaneously provide the written Determination Regarding Responsibility to all parties. The Determination will include:

1. Alleged violations of the Code of Student Conduct;
2. A description of the procedural steps taken from the filing of the formal complaint;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section(s) of the Code of Student Conduct, if any, the Respondent has or has not violated;
5. For each alleged violation:
  - a. A statement of, and rationale for, a determination regarding responsibility;
  - b. A statement of, and rationale for, any disciplinary sanctions imposed on the Respondent; and
  - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to Villanova's education program or activity will be provided by the University to the Complainant; and
6. Procedures and the permitted reasons for the parties to appeal as outlined below

Appropriate documentation will be maintained as required to allow the University to comply with applicable law.

## 5. SANCTIONS

After the finding or admission of responsibility, the Conduct Review Officer will impose sanctions after considering the following:

1. The nature of the violation and the circumstances surrounding it, including the actual or potential impact on the individuals involved and/or the community as a whole;
2. Statements made or evidence presented in the investigative report and/or hearing;
3. Prior disciplinary record of the student;
4. Disciplinary precedent;
5. Guidelines in the Code of Student Conduct.

The Conduct Review Officer may consult with other University officials as they deem appropriate.

#### A. Sanctions for Violations of the Code of Student Conduct

Sanctions serve to reinforce that students are held responsible and accountable for their behavior. This is accomplished by measures to educate, to deter future misconduct, and to provide consequences for one's actions.

Villanova University reserves the right to notify parent(s)/legal guardian(s) about the disciplinary status of their student, to the extent consistent with the provisions of the Family Educational Rights and Privacy Act.

Disciplinary sanctions comprise the range of official actions which may be imposed for violations of the Code of Student Conduct. Any violation of the Code of Student Conduct may result in the full range of sanctions outlined in the [Sanctioning](#) section of the Student Handbook, and one or more may be imposed in response to a given situation.

## 6. APPEALS

The Dean of Students or their designate (hereafter referred to as the "Dean of Students") will review appeals for new disciplinary proceedings or a review of sanction. The Dean of Students may consult with other University officials as they deem appropriate. All decisions made by the Dean of Students are final, including whether or not an appeal is procedurally permitted.

During the appeal process students may be subject to certain restrictions, impacting such things as: class attendance; on-campus housing; participation and/or membership in organizations, athletic events/teams/clubs, and/or extracurricular activities; attendance at University events/functions; and access to University buildings.

#### A. Grounds for Appeal

The Respondent and the Complainant may request an appeal based only on one or more of the following grounds:

##### **Appeal for a New Hearing:**

1. Procedural Irregularity - A material procedural defect in the original hearing that affected the outcome;

2. New Evidence - New material evidence that was not available, through no fault of the appealing party, at the time of the original hearing that could have affected the outcome; or
3. Conflict of Interest or Bias - The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general, that affected the outcome.

### **Appeal for Review of Sanction:**

The parties may appeal that that sanction imposed were disproportionate to the violation.

### **B. Process to Appeal**

The Respondent and the Complainant may request an appeal within five (5) business days from the time of notification of determination.

Appeals must be submitted to the Dean of Students in writing and:

- Be from and signed by the Complainant and/or Respondent;
- Consist of a concise and complete statement no more than eight (8) single spaced pages (including attachments) utilizing 12 point font;
- Set forth the grounds for appeal.

If the appeal is not based on appropriate grounds, it will be denied. If the appeal is based on appropriate grounds, the Dean of Students will notify both parties of the filing of the appeal. Each party will be given the opportunity to review and respond, in writing, to the other party's appeal. This response must be submitted within five (5) business days of the filing of an appeal.

1. If the appeal is determined to be based on appropriate grounds and alleges a Procedural Irregularity or New Evidence, this appeal will be resolved prior to addressing Appeals for Review of Sanction. The Dean of Students will review the appeal promptly and notify the parties of the outcome.
2. Subsequent to resolution of Appeals for Procedural Irregularity and New Evidence (if submitted), if the appeal is determined to be based on appropriate grounds for Review of Sanction, the Dean of Students will accept as final and binding the previous decision that the Respondent has violated the Code of Student Conduct. Each party will be given the opportunity to separately meet and discuss their appeal and/or their response to the other party's appeal with the Dean of Students. Each party may be accompanied by their advisor. Parents and guardians are permitted to participate in this discussion. The voluntary meeting will normally be scheduled within ten (10) business days of the original appeal being filed.

The Dean of Students will normally advise the parties of the final results of the grievance process within five (5) business days of the last voluntary meeting.

### **SEXUAL MISCONDUCT COMPLAINT PROCEDURES FOR COMPLAINTS AGAINST FACULTY OR STAFF**

Complaints of sexual misconduct against faculty or staff governed by special procedures outlined in section IV E of the University's [Sexual Misconduct Policy](#).

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[1] Although the University encourages a Complainant to talk with someone directly, the University does provide an anonymous on-line reporting option, [www.villanova.ethicspoint.com](http://www.villanova.ethicspoint.com) and an anonymous phone reporting option (855-236-1443). This report will prompt an investigation. However, the University's ability to respond effectively may be limited by the level of information provided and/or the anonymity of the complaint. All anonymous reports of sexual misconduct will be referred to the Title IX Coordinator.

## Extraordinary Procedures

In exceptional circumstances, including circumstances which may involve sexual misconduct, the University may have an obligation to act before a disciplinary proceeding can be held, or to postpone its own hearing in favor of some other course of action. In such cases, the following procedures may apply:

### A. Hold On Records

At any time after a possible violation of the Code of Student Conduct comes to the attention of the University, the University may place a 'Hold' on the academic records of a student in order to preserve the status quo pending the outcome of proceedings under the Code of Student Conduct. A Hold may prevent, among other things, registration, the release of transcripts, and the award of a diploma.

### B. Pending Criminal Or Civil Proceedings

The University may proceed under the Code of Student Conduct regardless of possible or pending civil claims or criminal charges arising out of the same or other events. The University shall determine the appropriate timing for proceeding against a student who also faces related charges in a civil or criminal tribunal. If the University defers proceeding with a case against a student facing related charges in a civil or criminal tribunal, the University may subsequently proceed under the Code of Student Conduct irrespective of any time limitations set forth elsewhere in the Code. In the event a student is suspended in accordance with this Code's interim suspension provisions and the University defers proceeding under the conditions described in this paragraph regarding pending civil claims or criminal charges, the interim suspension may continue in place pending the outcome of the pending civil claims or criminal charges and the University's subsequent proceedings under the Code of Student Conduct.

Students who plead guilty, plead nolo contendere, or who are found guilty of violating State, Federal or Local law, are in violation of this Code, and the University may, in its discretion, impose sanction(s) without an additional disciplinary proceeding. Students retain the right to appeal only the sanction consistent with this Code. Students found not guilty, or cases where criminal charges are dismissed, or cases where students are accepted for the Accelerated Rehabilitative Disposition (ARD) program or similar such programs are still subject to the provisions and procedures of the Code of Student Conduct.

### C. Interim Suspension

A student may be suspended on an interim basis when, in the judgment of University officials:

1. An individual poses a threat to themselves or the community; or
2. The student has been charged with a crime of a serious nature; or
3. The University determines there is a reasonable basis to believe the student has committed a serious violation of the Code of Student Conduct.

If an individual has been suspended because they pose a threat to themselves or the community, and if the behavior will not be pursued by the University as a violation of the Code of Student Conduct, the Dean of Students (or their designate) will meet with the individual to determine the appropriateness of returning to the University.

If the behavior will be pursued by the University as a violation of the Code of Student Conduct, then a disciplinary proceeding in accordance with the procedures outlined in the Code of Student Conduct will be held as soon as possible to determine the final outcome of the case, except where the University defers proceeding in light of pending civil claims or criminal charges as described in Section (B) above.

When in the judgment of University officials there is reasonable basis to believe a student may have committed a crime of a serious nature or a student is alleged to have committed a serious violation of the Code of Student Conduct (except for cases involving complaints of sexual assault, sexual harassment and other sexual misconduct), the student may be suspended on an interim basis for a period of up to 90 days in order to await the determination of the Complainant and/or local governmental authorities as to whether criminal charges or Code of Student Conduct charges will be brought against the student Respondent. If criminal charges are not initiated within the 90-day period, the provisions of Section (B) regarding Pending Criminal Proceedings shall apply.

For cases involving complaints of sexual assault, sexual harassment and other sexual misconduct, the University, after considering all the circumstances, shall determine the appropriate timing for placing a student on an interim suspension and proceeding against such student.

## Student Organizations

Students who choose to participate in student organizations are given a special trust as representatives of Villanova. Accordingly, students who choose to represent the University as members of an organization commit to additional standards of accountability. Student organizations, their officers, and their members may be held collectively and/or individually responsible for violations of the Code of Student Conduct and/or the specific regulations governing student organizations.

Additionally, at the University's discretion, an organization may be found responsible for violations committed by one or more individual students under appropriate circumstances including, but not limited to any of the following:

- When the violation reasonably appears related to an activity of the organization, where sponsorship by the student organization was either official or reasonably implied;
- When organizational members (including new and uninitiated members), leaders, and/or alumni enable, endorse, or encourage the conduct that led to the violation, or reasonably should have known that the conduct would occur and fail to take preventive or corrective action;
- When the violation occurs on property leased, rented, owned, or otherwise controlled by the organization and/or members or alumni;
- When organizational funds are used to finance the activity which resulted in the violation, and/or if members or alumni contribute personal funds in lieu of organizational funds;
- When the student organization attempts to conceal or withhold information regarding the misconduct of individual students.

For purposes of this Code of Student Conduct, a student organization is any club, team, chapter, society, committee, or otherwise organized group of students, the organizational purpose and official status with the University notwithstanding.

### **Student Organization Procedural Rights**

When a student organization is charged with a violation of the Code of Student Conduct, the student organization will be referred to a Conduct Review Officer. At all phases of the disciplinary review, the student organization will be represented by the current president of the organization or appropriate designee.

During the meeting with the Conduct Review Officer, they will explain the rights and options available as well as describe potential sanctions for the alleged violation in question. Student organizations suspected of a Code violation that accept responsibility for their behavior as documented will be

sanctioned accordingly by the Conduct Review Officer and receive notice of the sanction(s) imposed. Acceptance of responsibility may be rejected by the Conduct Review Officer in any case that warrants additional investigation.

Student organizations that accept responsibility do not waive their right to appeal for review of the sanction as outlined in the Code.

When student organizations suspected of a Code violation deny responsibility or the facts of a specific incident are in question, the Conduct Review Officer will review the matter in a manner chosen by the Conduct Review Officer that will endeavor to ensure fairness to all involved, and will generally follow the procedural options outlined in the Code of Student Conduct.

The Conduct Review Officer may determine in their discretion that due to the seriousness of the potential sanctions, or the nature or complexity of the facts of the case, it would be beneficial to have a proceeding before a Conduct Review Board.

Student organizations in violation of University rules and regulations are subject to a maximum sanction of termination of recognition from the University, or any lesser sanction, including but not limited to, restriction or suspension of the privilege to sponsor and/or promote programs/events, the loss of funds allocated by the University, removal of leadership or members, restitution for damages, and loss of facilities use.

Additionally, fraternity and sorority chapters in violation of the University policy are subject to a maximum sanction of termination of recognition from the University or any lesser sanction, including but not limited to, denial of new member recruiting and education privileges, restitution for damage, loss of facilities use, and restriction or suspension of the privilege to sponsor and/or promote programs/events. In all cases where applicable, the national sponsoring organization will be sent a written notification of sanctions imposed.

Student organizations have the right to appeal as outlined in the Code of Student Conduct. The Dean of Students will review appeals in cases where the sanction is termination of recognition or suspension of recognition, and the student organization believes that the sanction is disproportionate to the offense. Other sanctions are not subject to review.

### **Exceptional Circumstances**

In exceptional circumstances, the University may become aware of a student organization whose continued participation may pose an ongoing risk to students or the community, or may otherwise be disruptive to normal campus operations. During these circumstances, the University reserves the right to put in place appropriate administrative measures at any time to ensure the safety and well-being of the community, and until such time that the University can carry out the processes for adjudication of any alleged misconduct. Administrative measures may include, but are not limited to, a freezing of organizational budget assets, a prohibition on meetings or events, restrictions on recruiting new members, removal of leadership positions, or a mandate to cease and desist all operations. Notification of administrative measures will be sent to the student organization president and will include information regarding the alleged conduct that formed the rationale for the interim action. Failure to comply with any measures will be viewed as serious violations of University policy, and those students and/or organizations engaging in such activity will be held accountable.

# Student Conduct and Concern Records Retention and Disclosure

## 1. Retention of student conduct and concern records

As a general rule, student conduct and concern records are retained by the University until the end of the academic year that is seven years after the date of the incident, or for the period of time in which a corresponding sanction is disclosable, whichever is longer. The University reserves the right to retain student conduct and concern records for a longer period of time when the University deems necessary or appropriate. For cases resulting in a student's disciplinary separation from the University (i.e. expulsion), the records are kept indefinitely. The University may also keep records of student conduct matters that remain unresolved or pending at the time a student left or withdrew from (or otherwise ceases enrollment with) the University.

## 2. Disclosure of student conduct and concern records

Disclosure of student conduct and concern records to external third-parties will only be in accordance with applicable laws and regulations and the Student Records Policy (which is included in the Student Handbook). Student conduct and concern records are considered separate from all other University records and are not included on an academic transcript, except in cases where the awarding of a completed degree is withheld or revoked. Disclosure of specific disciplinary action or referral and the corresponding violation(s) will follow the below guidelines, subject to the additional disclosures discussed below:

1. Non-Reportable Disciplinary Sanctions (Conduct Notice, Conduct Warning, and Probationary Warning), Housing Sanctions, referrals for educational follow-up, cases where no sanction was imposed and the corresponding violation(s) are not disclosed, except when required by law.
2. Sanctions of Disciplinary Probation and the corresponding violation(s) will be disclosed for one (1) year after completion of the sanction. Students may petition the Dean of Students Office to terminate third-party disclosure at graduation in cases where the one-year disclosure period extends beyond the anticipated graduation date. This option is only available for sanctions of Disciplinary Probation and will only be considered within 90 days of the anticipated graduation date.
3. Sanctions of Disciplinary Probation with Loss of Privilege and the corresponding violation(s) will be disclosed for two (2) years after completion of the sanction
4. Sanctions of Suspension and the corresponding violation(s) will be disclosed for five (5) years after completion of the sanction.
5. Sanctions of Expulsion and the corresponding violation(s) will be disclosed indefinitely.
6. Additional disciplinary measures are not disclosed, except when required by law. However, the withholding or revocation of a degree pursuant to this Code shall be noted on a student's academic transcript until such time as the degree is awarded.

While the University only discloses sanctions and violations in accordance with these guidelines, students are encouraged to be forthright with a prospective employer, educational institution, or licensing authority regarding the student's conduct while enrolled at the University.

Notwithstanding the disclosure guidelines above, consistent with applicable laws and regulations:

- The University reserves the right to notify parent(s) or legal guardian(s) about (1) the disciplinary status of their student or (2) a health or safety concern related to their student.
- The University may also indefinitely report matters involving allegations of violations of the Code of Student Conduct that are unresolved or pending at the time a student left or withdrew from (or otherwise ceases enrollment with) the University.
- Student conduct and/or concern records may be shared internally with University personnel having a legitimate educational interest, including but not limited to, the Health Professions Advising Office to be used in the preparation of the Health Professions Advisor Evaluation, and disclosures required pursuant to Title IX.



- For cases involving: (1) a serious or continuing threat, an alleged crime of violence, or sexual offenses, certain information may be disclosed to the community and/or law enforcement and to the complainant, or (2) a Title IX disciplinary process, information regarding the findings and sanctions will be disclosed to both complainant(s) and respondent(s).

## Sexual Misconduct Policy

### Sexual Misconduct Policy

The full Sexual Misconduct Policy, including appendices, can be found in the [Villanova Policy Library](#)

- I. **Introduction**
- II. **Prohibited Conduct and Definitions**
  - A. **Prohibited Conduct**
  - B. **Definitions of Key Terms Used in this Policy**
- III. **Bystander Intervention**
- IV. **Reporting an Incident of Sexual Misconduct**
  - A. **Making a Report**
  - B. **Confidentiality and Privacy Considerations**
  - C. **Anonymous Reporting**
  - D. **Medical Care and Preserving Evidence**
  - E. **What Happens Following a Disclosure or Report**
  - F. **Reporting to Law Enforcement**
  - G. **Amnesty for Complainants and Witnesses**
  - H. **Resources for Respondents**
  - A. **Disability Accommodations**

#### Appendices

**Appendix A: Campus and Community Resources, Confidential and Non-Confidential**

**Appendix B: Supportive Measures to Protect Safety and Well-Being**

**Appendix C: Title IX Notice**

**Appendix D: Prevention and Education Efforts**

**Appendix E: Pennsylvania State Law Definitions**

Note on gender-inclusive language: Portions of this policy utilizes they/them/their as singular pronouns.

#### I. **INTRODUCTION**

Villanova University seeks to foster and maintain a community of mutual respect and concern for all of its members. There can be no greater violation of the terms of that community, or of the essential dignity of any member of it, than an

act of sexual assault, sexual harassment, or other forms of misconduct described in this Policy (collectively referred to as “sexual misconduct”). These acts constitute the deepest affront to University standards and will not be tolerated in any form.

All members of this community – students (current and applicants), faculty, staff, applicants for employment, persons doing business with or acting on behalf of the University, and visitors to campus – are protected under this Policy and share in the responsibility for creating and maintaining an environment that promotes the safety and dignity of each person. Towards that end, this Policy provides the framework for eliminating sexual misconduct from our community, preventing its recurrence, and addressing its effects.

Villanova prohibits all forms of sexual misconduct, as defined in Section II of this Policy, and any person found responsible for such conduct will face disciplinary actions up to and including dismissal or expulsion from the University.

Should an incident of sexual misconduct occur, the University has both reporting procedures and support resources in place so that no one needs to face the effects of such an incident alone. The first concern is for the safety, health, and well-being of those affected. Confidential and non-confidential (yet private) options for support and reporting are available both on and off campus (Section IV & Appendix A). The University has also adopted grievance procedures that may be utilized to identify, investigate, adjudicate, and address reports of sexual misconduct.

All members of the University community have an obligation to assist in preventing sexual misconduct. Responsibilities include: (1) completing required training to learn how to recognize and report concerns; (2) conducting themselves in a manner that does not violate this policy; (3) intervening when possible to prevent sexual misconduct; (4) reporting incidents and assisting persons who experience sexual misconduct to report such incidents; (5) respecting the privacy rights and confidentiality rights of those involved; and (6) in certain cases, cooperating in University investigative and disciplinary procedures.

The University will respond promptly and equitably to all reports of sexual misconduct to ensure the safety of the reporting person and the Villanova community, and in order to provide an environment that is free from gender and sex discrimination.

Anyone making a report, filing a complaint, or participating in the investigation or resolution of an allegation of sexual misconduct is protected by law and this Policy from retaliation (see Section II.A.). The University will take prompt and responsive action to all reports of retaliation.

When used in this Policy, a reporting person is a person who notifies the Title IX Coordinator, or other Villanova authority as outlined in Section IV below, of an act of sexual misconduct. When the reporting person is also the person who experienced the sexual misconduct, the reporting person is also referred to as a Complainant. A Respondent refers to the person reported to be the perpetrator of conduct that could constitute sexual misconduct under this policy.

## **II. PROHIBITED CONDUCT AND DEFINITIONS**

The University expects all members of the Villanova community to conduct themselves in a manner consistent with the Villanova Mission Statement and its Enduring Commitments available at [http://www1.villanova.edu/villanova/president/about\\_university/mission./html](http://www1.villanova.edu/villanova/president/about_university/mission./html) and all applicable University policies.

Villanova University prohibits sexual misconduct, as detailed in the definitions below and as further clarified in some instances under Federal and Pennsylvania law. Some acts constitute prohibited conduct under Title IX of the Education Amendments of 1972 and other Federal and State laws. Acts of sexual assault or sexual misconduct may also be prosecuted under the Pennsylvania Criminal Code. Pennsylvania criminal law definitions can be found in Appendix E. The University reserves the right to address behavior that violates this Policy regardless of whether the conduct also violates Federal, State and/or municipal civil or criminal law.

### **A. PROHIBITED CONDUCT**

This policy applies to all on-campus conduct, as well as any off-campus conduct, that has an adverse impact on any member of the University community or the University. All conduct outlined below is prohibited under this policy and, in some instances, may also constitute behavior prohibited under Title IX. In order to fall under the scope of Title IX, the conduct must take place during a University education program or activity in the United States which includes:

- Any on-campus premises
- Any off-campus premises over which Villanova University has substantial control.
- Any buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of, Villanova University's programs and activities over which the University has substantial control.

**SEXUAL MISCONDUCT.** The term sexual misconduct is a comprehensive term that encompasses any unwelcome conduct of a sexual nature and includes dating violence, domestic violence, sexual assault, sexual exploitation, sexual harassment and stalking.

**SEXUAL ASSAULT.** Having or attempting to have sexual intercourse or sexual contact with another person without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where a person does not consent to the sexual act, or where a person is incapacitated (as defined in Section B). Sexual assault includes rape, fondling, incest, and statutory rape, defined as follows:

- **Rape - Attempted or Actual Penetration(s):** Causing or attempting to cause non-consensual vaginal, anal, or oral penetration, however slight, with any object or body part, with another person.
- **Fondling - Non-Consensual Sexual Contact:** The touching of the private body parts of another, for the purpose of sexual gratification forcibly and/or against that person's will; or not forcibly or against that person's will where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. This can include causing the other to touch the harasser's private body parts.
- **Incest –** Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape –** Statutory rape is sexual intercourse with a person who is under the statutory age of consent. In Pennsylvania, individuals under 13 years of age can never consent to intercourse; individuals younger than 16 years of age can never consent to intercourse with a partner more than four years their senior. For more about consent, see Part B below.

**SEXUAL EXPLOITATION.** Sexual exploitation is an act or omission to act that involves taking non-consensual, unjust, humiliating, or abusive sexual advantage of another, either for personal advantage or to benefit or advantage anyone other than the Complainant. Examples of sexual exploitation include but are not limited to the following:

- Creating a picture(s), movie(s), webcam, tape recording(s), graphic written narrative(s), or other means of memorializing sexual behavior or a state of undress of another person without the other's knowledge and consent;
- Sharing items described in the paragraph above beyond the boundaries of consent where consent was given. For example, showing a picture to friends where consent to view it was given for oneself only;
- Observing or facilitating observation by others of sexual behavior or a state of undress of another person without the knowledge and consent of that person;
- Voyeuristic behaviors, such as watching another person or persons, without their consent, while they are undressing, undressed, or engaged in sexual activity;

- Engaging in sexual behavior with knowledge of an illness or disease that could be transmitted by the behavior without full and appropriate disclosure to the partner(s) of all health and safety concerns;
- Engaging in or attempting to engage others in “escort services” or “dating services” which include or encourage in any way sexual behavior in exchange for money;
- Intentionally, knowingly, or surreptitiously providing drugs or alcohol to a person for the purpose of sexual exploitation; or
- Exposing another person to sexually explicit or lewd material without the person’s advanced knowledge and consent.

**STALKING.** Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to fear for their safety, or the safety of others, or suffer substantial emotional distress. The course of conduct means two or more acts in which the stalker follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. This includes cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person.

**SEXUAL HARASSMENT.** Sexual harassment is misconduct on the basis of sex that jeopardizes equal access to education and includes:

- Quid pro quo in which an employee explicitly or implicitly conditions the provision of an employment or academic aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct
- Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal access to a University education program or activity

**DATING VIOLENCE.** Includes physically, sexually, and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence. Dating violence also occurs when one partner attempts to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal, financial or emotional abuse. Specifically, dating violence is violence or the threat of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship is determined based upon the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship.

**DOMESTIC VIOLENCE.** Includes physically, sexually, and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence. Domestic violence also occurs when one partner attempts to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal, financial or emotional abuse. Specifically, domestic violence is a crime of violence committed by a current or former spouse or intimate partner, or by a person with whom the Complainant shares a child in common. Domestic violence also includes a crime of violence against a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under domestic or family violence laws of the Commonwealth of Pennsylvania, or by any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of the Commonwealth of Pennsylvania.

**RETALIATION.** Retaliation includes, but is not limited to, any form of intimidation, threats, coercion, or discrimination against any individual because they have made a report or complaint, or participated or refused to participate in criminal proceedings or University processes under this policy. Retaliation may be committed by any person or group of

people, not just a Respondent or Complainant. It may be committed against the Complainant, Respondent, or person or group of people involved in the investigation and/or resolution of an allegation of sexual misconduct. Retaliation could occur before, during or after an investigation, University proceedings, and/or resolution.

## **B. DEFINITIONS AND KEY TERMS USED IN THIS POLICY**

**ADVISOR OF CHOICE:** Villanova will provide the parties equal access to advisors. Parties participating as a Complainant or Respondent in this process may be accompanied by an advisor of choice to any meeting to which they are eligible to attend. Parties must be accompanied by an advisor to any hearing. If a party does not have an advisor of choice, the University will provide an advisor to that party. The advisor is not an advocate and any restrictions on advisor participation will be applied equally.

**ALCOHOL and OTHER DRUGS:** Sexual misconduct is never excused because a person is intoxicated or impaired by alcohol or other drugs, and the consumption of alcohol or drugs does not diminish one's responsibility to obtain consent. The University considers sexual contact while under the influence of alcohol or other drugs to be risky behavior because people may abuse the impaired condition of another to commit sexual misconduct. Alcohol and other drugs impair a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. The use of alcohol or other drugs can limit a person's ability to freely, affirmatively, and clearly give consent and can create an atmosphere of confusion over whether or not consent has been freely, affirmatively, and clearly sought or given. The perspective of a reasonable person will be the basis for determining whether a Respondent should have been aware of the extent to which the use of alcohol or other drugs impacted a Complainant's ability to give consent.

**BYSTANDERS:** Bystanders are individuals who witness emergencies, criminal events or situations that could lead to criminal events and by their presence may have the opportunity to provide assistance, do nothing, or contribute to the negative behavior.

**COERCION:** Consent must be freely given. Consent is not freely given if it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would compromise someone's ability to exercise their own free will to choose whether or not to have sexual contact. Coercion includes the use of pressure and/or oppressive behavior, including express or implied threats of harm or severe and/or pervasive emotional intimidation, which (a) places a person in fear of immediate or future harm or physical injury of themselves or another person, or (b) causes a person to engage in unwelcome sexual activity. A person's words or conduct amount to coercion if they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion also includes administering a drug, intoxicant, or similar substance that impairs the person's ability to give consent.

**COMPLAINANT:** Refers to the person who reports that they have been the subject of sexual misconduct as defined in this policy and/or under Title IX.

**CONSENT:** Consent is an explicitly communicated, reversible mutual agreement in which all parties are capable of making a decision. Consent is informed, voluntary, and actively given. Consent exists when all parties exchange mutually understandable affirmative words or actions indicating their agreement to participate voluntarily in sexual activity.

The following further clarifies the meaning of consent:

- Each participant in a sexual encounter must obtain consent for all sexual activities. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.

- Consent consists of an outward demonstration indicating that a person has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
- If at any time it is reasonably apparent that either party is hesitant, confused, or unsure, both parties should stop and obtain mutual verbal consent before continuing such activity.
- Consent may be withdrawn by either party at any time. Once withdrawal of consent has been expressed through words or actions, sexual activity must cease.
- A person who is physically incapacitated from alcohol or other drug consumption (voluntarily or involuntarily), or is unconscious, unaware, or otherwise physically impaired, is considered unable to give consent. For example, a person who is asleep or passed out cannot give consent.
- People with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates consent to engage in sexual activity.

**DEPUTY TITLE IX COORDINATOR:** The Title IX Coordinator is supported by several Deputy Title IX Coordinators, all of whom are knowledgeable and trained in Federal and State laws that apply to matters of sexual misconduct, as well as University policy and procedure. The list of Deputy Title IX Coordinators can be found in the “Title IX Notice” in Appendix C.

**DISCLOSURE:** Disclosure occurs when a person shares that they have experienced sexual misconduct. Disclosure does not necessarily constitute the filing of a formal complaint. (See Section IV for more information).

**FORMAL COMPLAINT:** A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual misconduct against a Respondent and requesting that the University investigate the allegation of sexual misconduct.

**INCAPACITATION:** Incapacitation is the inability, temporarily or permanently, to give consent, because the person is mentally and/or physically impaired due to: illness; disability; voluntary or involuntary alcohol or other drug consumption; and/or being unconscious, asleep, or otherwise unaware that the sexual activity is occurring. In addition, people are incapacitated if they demonstrate that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, being unaware of circumstances or surroundings, or being unable to communicate for any reason.

**REPORT:** A formal record regarding an allegation of sexual misconduct. (See Section IV for more information).

**REPORTING PERSON:** Refers to the person who is reporting that they are aware of or have witnessed sexual misconduct as defined in this policy. This person may also be the Complainant.

**RESPONDENT:** The person who is reported to be the perpetrator of conduct that could constitute sexual misconduct.

**RESPONDENT RESOURCE COORDINATOR (RRC) TEAM:** The University has designated the RRC team to provide assistance to any student accused of sexual misconduct. The RRC may meet with the Respondent to assist with: obtaining emotional support through counseling; navigating the disciplinary and/or resolution processes; obtaining other supportive measures; and assisting with other questions and concerns. The RRC team also provides ongoing assistance through any University and/or criminal justice review, investigation, or resolution process. Members of the RRC can be reached by emailing [respondentresource@villanova.edu](mailto:respondentresource@villanova.edu) or calling 610-519-8807. Members of the RRC do not act as legal counsel and generally are unable to serve as advisors in University disciplinary proceedings.

**RESPONSIBLE EMPLOYEE:** All employees (except for confidential resources listed in Section IV.B) must report any and all incidents of sexual misconduct to the Title IX Coordinator or a Deputy Title IX Coordinator (as outlined in the Title IX Notice contained in Appendix C), regardless of where or when the incident occurred and whether or not the “responsible employee” witnessed the incident or learned of it through the Complainant, Respondent or a third party.

**SAFETY ALERT:** A Safety Alert is a campus-wide warning intended to provide members of the University community with timely information about certain serious crimes. Safety Alerts are part of the University’s compliance responsibilities to issue timely warnings under the Clery Act, a federal campus crime disclosure law. Safety Alerts do not contain identifying information about the reporting person.

**SEXUAL ASSAULT RESOURCE COORDINATOR (SARC) TEAM:** The University has designated the SARC team to provide immediate assistance to any student who has experienced sexual misconduct. The SARC on call at the time of the contact may meet with the person, provide information about safety, emotional and physical well-being, on campus and community resources, possible supportive measures, and review the person’s options to address the complaint under this policy. The SARC team also provides ongoing support and assistance through any University and/or criminal justice review, investigation, or resolution process. The SARC on-call can be reached at 484-343-6028 and is available 24 hours/day.

**Members of the SARC do not act as legal counsel and generally are unable to serve as advisors in University disciplinary proceedings.**

**SUPPORTIVE MEASURES:** Following a report of sexual misconduct, the University will offer non-disciplinary, non-punitive individualized services as appropriate and as reasonably available to involved parties. Supportive measures are designed to protect the safety of all parties and the University’s employment and educational environment and/or deter further acts of misconduct. More information about Supportive Measures can be found in Appendix B.

**TITLE IX COORDINATOR:** The Title IX Coordinator oversees the University’s centralized review, investigation, and resolution process for matters arising under this policy and coordinates the University’s compliance with Title IX. The Title IX Coordinator is a University resource who:

- Can discuss with Complainants and Respondents the availability of supportive measures with or without the filing of a formal complaint;
- Will consider the Complainant’s and Respondent’s wishes with respect to available supportive measures;
- Will explain to the Complainant the process for filing a formal complaint;
- Can explain to the Respondent the process following the filing of a formal complaint.

See Appendix C for the complete Title IX Notice.

**TITLE IX INVESTIGATOR:** The Title IX Investigator will typically conduct administrative investigations of sexual misconduct reports falling within this policy, unless the Title IX Coordinator designates another trained investigator in light of the circumstances.

### III. BYSTANDER INTERVENTION

Bystanders play a critical role in the prevention of sexual misconduct. The University strongly encourages all community members to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Each situation is unique and each person has different strengths when it comes to intervention. Taking action may include:

- Direct intervention: approaching one of the key people involved in the situation and attempting to prevent the situation from escalating further.

- Delegating: involving other people to prevent a situation from worsening. This can include recruiting friends, Public Safety, or law enforcement.
- Distracting: altering the flow, interrupting, or shifting a situation to prevent something from worsening.

When considering options, it is most important for students to make the safest choice available to interrupt or intervene in situations that could result in acts of sexual misconduct. Community members who choose to exercise this positive moral obligation will be supported by the University and protected from retaliation.

#### **IV. REPORTING AN INCIDENT OF SEXUAL MISCONDUCT**

All members of the University community (unless required to maintain confidentiality by law) are expected to report information about any incident of sexual misconduct involving a student, staff, or faculty member, regardless of where and when the incident occurred. Specifically, all employees (except for confidential resources listed in Section IV.B) have been designated as “responsible employees” and must report any and all incidents to the Title IX Coordinator or a Deputy Title IX Coordinator (as outlined in the Title IX Notice contained in Appendix C), regardless of whether or not the responsible employee witnessed the incident or learned of it through the Complainant, Respondent or a third party.

The Title IX Coordinator or Deputy will report incidents occurring on or near campus to the University’s Department of Public Safety as part of the University’s compliance with a federal law known as the Clery Act. The Clery Act requires colleges and universities to maintain statistics of serious crimes reported on and near campus, including incidents reported under this policy. Reports to the Department of Public Safety will typically include the general nature of the incident, date, time of day, and location, as well as other information needed to assess whether an on-going threat is present that would require that the University issue a timely warning (or “Safety Alert”). Incidents reported to the Department of Public Safety are also used to compile crime statistics that are distributed to the University community annually as required by the Clery Act. In addition to complying with the Clery Act, this information helps keep the Title IX Coordinator informed of the general extent and nature of sexual misconduct on and off campus so that the Title IX Coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses.

Villanova is committed to supporting the rights of a person reporting an incident of sexual misconduct to make an informed choice among options and services available both on and off campus. Complainants have the option to, and are encouraged to, notify law enforcement. This includes the simultaneous filing of both a criminal and University formal complaint. Villanova University’s Department of Public Safety consists of both sworn and non-sworn officers, the latter of whom conduct criminal investigations for incidents occurring on-campus. Complainants can receive assistance from Villanova officials in filing a police report, either with the University’s Public Safety Department (for on-campus incidents) or with the local police department with jurisdiction. Complainants may also decline to participate in campus or law enforcement processes.

The University will respond to all reports in an integrated, consistent manner that treats each person with dignity and respect and will take prompt responsive action to end any reported sexual misconduct, prevent its recurrence, and address its effects.

##### **A. MAKING A REPORT, RESOURCES FOR COMPLAINANTS**

**To make a report, a person has several options:**

Any person may report an incident of sexual misconduct. Complaints may be pursued through the criminal process and/or through the University grievance process consecutively or concurrently.

To initiate a criminal complaint through law enforcement, the location of the incident will determine which police department will investigate. For on-campus incidents, the Villanova University Department of Public Safety is the law enforcement agency with jurisdiction to investigate crimes that occur on campus property. For off-campus incidents, the University can assist complainants in identifying and reporting to the appropriate law enforcement agency with jurisdiction.



The following list includes contact information for Villanova University's Department of Public Safety, and the police departments in proximity to the University and/or that have township student-approved housing in their respective jurisdictions:

<b>Law Enforcement</b>	911
<b>Villanova University Department of Public Safety</b>	610-519-5800
<b>Radnor Police Department</b>	610-688-0503
<b>Lower Merion Police Department</b>	610-649-1000
<b>Conshohocken Police Department</b>	610-828-4032/4033
<b>Upper Merion Police Department</b>	610-265-3232
<b>Tredyffrin Police Department</b>	610-647-1440

To initiate a non-criminal complaint under this policy (whether the alleged conduct is prohibited under Title IX, the Code of Student Conduct and/or employment policies) through the University, the person should contact the Title IX Coordinator, a Deputy Title IX Coordinator or the Department of Public Safety as follows:

<b>Ms. Ryan Rost, Title IX Coordinator</b>	610-519-8805
204 Tolentine Hall	<a href="mailto:ryan.rost@villanova.edu">ryan.rost@villanova.edu</a>
<b>Ms. Kim Carter, Title IX Investigator</b>	484-343-6926 (24/7)
<b>&amp; Deputy Title IX Coordinator</b>	
Garey Hall	<a href="mailto:kim.carter@villanova.edu">kim.carter@villanova.edu</a>
<b>Ms. Kathy Byrnes, Associate Vice President for Student Life</b>	610-519-4248
<b>&amp; Deputy Title IX Coordinator</b>	
202 Dougherty Hall	<a href="mailto:kathleen.byrnes@villanova.edu">kathleen.byrnes@villanova.edu</a>
<b>Mr. Albert Baladez, Director of Employee Relations and</b>	610-519-4238
<b>Compliance &amp; Deputy Title IX Coordinator</b>	
789 Lancaster Avenue	<a href="mailto:albert.baladez@villanova.edu">albert.baladez@villanova.edu</a>
<b>Ms. Lynn Tighe, Senior Associate Athletic Director for</b>	610-519-4121
<b>Administration &amp; Deputy Title IX Coordinator for Athletics</b>	
Field House	<a href="mailto:lynn.tighe@villanova.edu">lynn.tighe@villanova.edu</a>

**Note: (Reports to the Public Safety emergency number will prompt a police response by on-duty personnel)**

Any person seeking information and options on how to proceed with making a report may also contact:

**Sexual Assault Resource Coordinator Team**

**484-343-6028 (On-Call 24/7)**

The Sexual Assault Resource Coordinator (SARC) on call at the time of the contact may meet with the person, provide information about safety, emotional and physical well-being, on campus and community resources, possible supportive measures, and review the person's options to address the complaint under this policy. The SARC also provides ongoing support and assistance to students through any University and/or criminal justice review, investigation, or resolution process. **The SARC may talk with a person and generally only report to the Title IX Coordinator that an incident occurred without revealing any personally identifying information about the reporting person if that is the person's wish.** If the identity of the Respondent is shared with the SARC, this information will be reported to the Title IX Coordinator. Members of the SARC do not act as legal counsel and generally are unable to serve as advisors in University hearings.

The University encourages people who have experienced sexual misconduct to seek immediate medical treatment (see below) and to make a prompt report to law enforcement in order to address immediate safety concerns, allow for the preservation of evidence, and trigger a prompt investigative and remedial response. When the incident is reported to a campus resource, the University will help the complainant get to a safe place and assist the Complainant in seeking immediate medical attention or in reporting an allegation to law enforcement. The University may provide transportation to the hospital, can assist with notification of law enforcement, and will provide information about the University's resources and complaint process. The University may also provide appropriate supportive measures, as needed, to help ensure the safety and well-being of the parties affected. See Appendix B for more details on Supportive Measures.

The University's Department of Public Safety may conduct criminal investigations and/or administrative investigations of sexual misconduct reports. While the administrative and criminal investigators are housed in the same unit of the University, the investigations are separate and apart, and serve different purposes.

Criminal investigations are conducted for sexual misconduct reports that occur on campus property, except in cases where the identity of the suspect is unknown to the Complainant. In those cases, the Radnor Township Police Department conducts the investigation. The Department of Public Safety employs sworn officers who will be trained as criminal investigators and who can collect evidence, conduct an investigation, and initiate a criminal prosecution.

The Department of Public Safety also conducts administrative investigations into allegations of sexual misconduct, which would include acts consistent with criminal sexual assault. These investigations are conducted by trained personnel within the Department of Public Safety who are not sworn police officers.

When contacting the Department of Public Safety, a Complainant may seek a criminal investigation, an administrative investigation, or both. A Complainant is not required to consent to a criminal investigation in order for an administrative investigation to occur, or to receive supportive measures. In cases involving both criminal and administrative investigations, information can be shared between investigators consistent with Federal and State law. A Complainant may always choose to participate, or withdraw their participation, from either investigative process at any time.

The Department of Public Safety does not have the authority to conduct criminal investigations for reports of sexual misconduct that occur off-campus, but can conduct administrative investigations of off-campus incidents. Sworn police investigators can assist in administrative investigations of off-campus conduct where the University Police does not have jurisdiction to conduct a criminal investigation.

## **B. CONFIDENTIALITY AND PRIVACY CONSIDERATIONS**

The University is committed to protecting the privacy of all people involved in matters falling under this Policy. Privacy means that information related to a report of sexual misconduct will be shared only with those University officials with a designated interest in order to assist in the investigation and/or in the resolution of the matter, unless further disclosure is required by law or necessary due to a health and/or safety emergency. Under no circumstances will the University release the name of a Complainant to the general public without the express consent of the Complainant.

While all reports of sexual misconduct will be handled as private matters, confidentiality cannot be guaranteed unless the information is reported to a confidential resource. Confidentiality refers to the ability of identified confidential resources (listed below) to not report crimes or violations to University officials or law enforcement without permission, except in extreme situations such as health and/or safety emergencies or child abuse.

### **Parameters of Confidentiality and Responsible Employee Reporting Obligation**

**Confidential Resources: Counselors/therapists at the University Counseling Center, priests acting in a pastoral capacity, and Faculty Ombuds.** Any community member may seek advice and counseling confidentially, including about sexual misconduct, by speaking to these University employees who are outside the official reporting channels. Confidentiality will be maintained by a counselor, therapist or priest acting in a pastoral capacity under all circumstances, except when there is an immediate threat of serious harm to a person. This means that, in almost all circumstances, these people are not required to report any information to anyone without permission. Please note that the University also has a Faculty Ombuds who, except in certain required instances such as immediate threat of serious harm, will not report instances of sexual misconduct.

**Nurses and Nurse Practitioners at the Student Health Center and the Sexual Assault Resource Coordinator (SARC) team.** The University has designated these employees to provide immediate assistance and support to any person wishing to make a report of sexual misconduct. These people are considered responsible employees and are required to share disclosures of sexual misconduct with the Title IX Coordinator, but generally only report that an incident occurred without revealing any personally identifying information about the person, if requested by the reporting person. These reports to the Title IX Coordinator will include the name of the Respondent (if shared), general nature of the incident, date, time of day, and location, as well as other information needed to assess whether an on-going threat is present in order to evaluate whether a timely warning should be issued.

**All other University employees.** As noted in Section IV, all employees (except for confidential resources listed above) are considered responsible employees and are required to share disclosures of sexual misconduct with the Title IX Coordinator. These reports to the Title IX Coordinator will include the name of the reporting person, name of the Respondent (if shared), general nature of the incident, date, time of day, and location, as well as other information needed to assess whether an on-going threat is present in order to evaluate whether a timely warning should be issued.

**Note:** Physicians at the Student Health Center (M.D.s and D.O.s) are generally required by Pennsylvania law to make a report to the police department with jurisdiction, any time they receive a report of an injury caused by a criminal act, including sexual assault.

All sexual misconduct reports received by the Title IX Coordinator will be evaluated for further action as set forth in Section E. Regardless of a Complainant's involvement in an investigation, the resources found in Appendix A and supportive measures described in Appendix B, remain available to that person. Off-campus resources are also available and do not typically involve the University without the Complainant's consent. Some are also confidential.

Consistent with the Clery Act, should there be a continuing threat to the community, a campus-wide timely warning, also known as “Safety Alert,” could be issued in order to protect the community. Safety Alerts do not contain identifying information about the reporting person. When an ongoing threat to the safety of campus exists, the University will use the procedures set forth in Section E to determine whether appropriate actions to address the situation must be taken.

### **C. ANONYMOUS REPORTING**

Although the University encourages a Complainant to talk with someone directly, the University does provide an anonymous on-line reporting option, [www.villanova.ethicspoint.com](http://www.villanova.ethicspoint.com) and an anonymous phone reporting option at (855-236-1443). All anonymous reports of sexual misconduct submitted through these options will be referred to the Title IX Coordinator and will prompt an initial investigation. However, the University’s ability to respond effectively may be limited by the level of information provided and/or the anonymity of the complaint.

### **D. MEDICAL CARE AND PRESERVING EVIDENCE**

A person’s physical well-being should be addressed as soon as possible, whether or not that person wishes to make a report to the University or law enforcement. A medical provider can provide emergency and/or follow-up medical services, and meet two goals: first, to diagnose and treat the full extent of any injury or physical effect, and second, to properly collect and preserve evidence. Following an incident of sexual assault, evidence is best preserved for proof of a criminal offense within 96 hours of the assault. In the event of a report immediately following an incident of sexual assault, a Complainant is encouraged to seek medical attention as soon as possible, and even before any showering, bathing, douching, brushing of teeth, drinking, eating, or changing of clothes. Similarly, any clothing, towels or bedding should remain untouched pending collection by law enforcement. Whether or not a person has chosen how to proceed at the time of the medical examination, taking the step to gather evidence will preserve the full range of options to seek resolution through the pursuit of a criminal investigation or the University’s complaint processes.

Please note that under Pennsylvania law, a medical provider is required to notify law enforcement of a reported sexual assault under most circumstances. Although the medical provider will provide information to law enforcement, and the University encourages the Complainant to report the incident to law enforcement (it is often easier to relay the incident once to several people than repeatedly to different constituents), the Complainant may always, at any time, decline to speak with a law enforcement officer and decide on the extent of their participation in a criminal prosecution.

Contact information for medical care is as follows and more detailed information can be found in Appendix A of this Policy:

<b>Villanova Student Health Center</b>	610-519-4070
<b>Bryn Mawr Hospital</b>	484- 337-3000
<b>Lankenau Medical Center</b>	484-476-2000
<b>Philadelphia Sexual Assault Response Center</b>	215-425-1625

### **E. WHAT HAPPENS FOLLOWING A REPORT**

#### **1. In General**

When the Title IX Coordinator receives a report of sexual misconduct, they will contact the Complainant (if identified) to discuss the availability of supportive measures with or without the filing of a formal complaint and explain the process for filing a formal complaint. A formal complaint can be filed by the Complainant in person, mail, email or through other reporting means, but must include a signed (physical or digital signature) written description of the facts alleged and request that the University investigate the matter. As outlined in subsection (2) below, in certain circumstances where a

Complainant does not wish to file a formal complaint, one may be filed by the Title IX Coordinator to address the safety of the broader educational community. If a formal complaint is filed, an investigation will commence and the parties will be provided with options for informal and formal resolution.

## **2. If a Complainant Chooses Not to File a Formal Complaint**

If a Complainant reports an incident of sexual misconduct and chooses not to file a formal complaint, supportive measures will remain available to the Complainant. In such cases, the University must weigh the Complainant's choice against its obligation to provide a safe, non-discriminatory environment for all students and employees, including the Complainant. Although rare, there may be times when the University cannot honor a Complainant's request and the Title IX Coordinator may determine that a formal complaint is necessary in order to provide a safe, non-discriminatory environment for all community members.

When weighing such a request by the Complainant, the Title IX Coordinator or Deputy Coordinator(s) will consider a range of factors, including but not limited to, the following:

- The risk that the Respondent will commit additional acts of sexual or other violence, such as:
  - a pattern of alleged sexual misconduct by the same Respondent;
  - whether the Respondent has a history of arrests or records from a prior school indicating a history of sexual and/or physical violence;
  - whether the Respondent threatened further sexual violence or other violence against the Complainant or others;
  - whether the sexual violence was committed by multiple perpetrators;
- whether the Complainant's allegations involved violence, use of weapons or similar factors;
- whether the Complainant is a minor;
- whether the University possesses other means to obtain relevant evidence of the alleged sexual violence (e.g., security cameras, eye-witnesses or, physical evidence);
- whether the Complainant's report reveals a pattern of perpetration (e.g., alcohol or drug facilitated sexual violence) at a given location or by a particular group.

If none of these factors is present, the Title IX Coordinator will likely respect the Complainant's request to not file a formal complaint. In such cases, the Complainant should understand that the University's ability to meaningfully address the incident may be limited.

However, the presence of one or more of these factors could lead the Title IX Coordinator to file a formal complaint allowing the University to investigate and, if appropriate, pursue the grievance process and/or involve the law enforcement agency with jurisdiction. In such cases, the University will inform the Complainant and will share the University's reasoning for proceeding with a formal complaint. The Complainant may still decide whether and how much they want to be involved in any next steps. The University will only share information with those needing to know in order to conduct the investigation and facilitate the University's response to the report of sexual misconduct.

The University may consolidate formal complaints alleging sexual misconduct against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.

Whether or not a report results in a full investigation, the University will remain ever mindful of the well-being of those involved and take ongoing steps to prevent retaliation. The University will take action to assist those involved consistent with their wishes, to the extent possible. A variety of supportive measures are available to those involved as outlined in Appendix B. The Title IX Coordinator, Sexual Assault Resource Coordinator and Respondent Resource Coordinator Teams are available to assist Complainants and Respondents, respectively, in determining what measures are helpful or needed and will assist in the implementation of such supportive measures.

Finally, the University is committed to a safe environment for all students and employees and to addressing issue of sexual misconduct. Reports of such misconduct provide the University with the opportunity to consider broader remedial action including increased monitoring of campus locations, additional education and prevention efforts, and climate assessments.

### **3. Notice of Allegations**

When a formal complaint is made, a written Notice of Allegations will be sent to the Complainant(s) and Respondent(s). Such notice will occur as soon as practicable after Villanova receives a formal complaint of the allegations, absent extenuating circumstances.

This written notice will include the following:

- Notice of Villanova's Grievance Process, including the informal resolution process.
- Notice of the allegations potentially constituting violations of this policy, and sufficient details to the extent known at the time the Notice is issued, such as the identities of the parties involved in the incident, including the Complainant; the conduct allegedly constituting sexual misconduct; and the date and location of the alleged incident.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that each party may have an advisor of their choice, who may be, but is not required to be, an attorney.
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the University does and does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source.

Villanova will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that were not included in the Notice of Allegations and are otherwise covered under this policy, Villanova will notify the parties whose identities are known of the additional allegations.

### **4. Advisor of Choice**

Villanova will provide the parties equal access to advisors. Parties participating as a Complainant or Respondent in this process may be accompanied by an advisor of choice to any meeting or hearing to which they are required or eligible to attend. The advisor is not an advocate and any restrictions on advisor participation will be applied equally.

Villanova will not intentionally schedule meetings or hearings on dates where the advisors for all parties are not available, provided that the advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

Villanova's obligations to investigate and adjudicate in a prompt timeframe applies to matters governed under this policy and the University cannot agree to extensive delays solely to accommodate the schedule of an advisor. Villanova will not delay a meeting or hearing under this policy for more than five (5) days due to the unavailability of an advisor and may offer the party the opportunity to obtain a different advisor or utilize one provided by Villanova.

### **5. Investigations**

Administrative investigations of all sexual misconduct involving a current student: The Title IX Investigator or their designee will typically oversee the administrative investigation of all sexual misconduct reports where the Respondent is a current student.

Administrative investigations of sexual misconduct involving a University employee: Human Resources and/or the Title IX Investigator or their designee will typically oversee the investigation of all reports of sexual misconduct involving a Respondent who is a University employee (faculty or staff).

Criminal investigations: The Director of Public Safety & Chief of Police or their designee oversees the criminal investigation of all sexual misconduct reports conducted by the Department, regardless of the Respondent's affiliation with the University.

For administrative (non-criminal) investigations, the University will provide to a party whose participation is invited or expected, written notice of the date, time, location, known participants and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for that party to prepare to participate.

Normally, investigations will include interviewing the parties, interviewing witnesses as appropriate, and collecting relevant documentary, electronic, or other evidence. Students, faculty and staff deemed relevant to the matter may be asked to participate in an investigation, and when asked, they are expected to find time to meet and share information with the investigator. A criminal investigation may also include the collection of physical and/or forensic evidence which could be shared with the administrative investigator and included in the Investigative Report as outlined below.

Prior to the conclusion of the administrative investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation, and will have the opportunity to meaningfully respond to the evidence. The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing an Investigative Report that fairly summarizes the relevant evidence. The investigator will provide the parties access to the Investigative Report at least ten (10) business days prior to any hearing for each party's review and written response. The investigator will share all evidence submitted during the investigation, the Investigative Report, and any responses, with the University authorities empowered to act on violations of University policy.

## 6. Special Procedures

At the conclusion of the investigation and all applicable steps described above, the matter will be referred to the specific resolution process as determined by the role of the Respondent, as outlined below:

Role of Respondent	Link to Special Procedures
Students (non-Law)	<a href="#">Student Special Procedures Governing Sexual Misconduct Proceedings</a>
Law Students	<a href="#">Law Student Special Procedures Governing Sexual Misconduct Proceedings</a>
Staff members	<a href="#">Staff Special Procedures Governing Sexual Misconduct Proceedings</a>
Faculty members and Faculty Administrators	<a href="#">Faculty Special Procedures Governing Sexual Misconduct Proceedings</a>

## **7. Informal Resolution**

At any time after the filing of a formal complaint and prior to adjudication of the matter, either the Complainant or Respondent may request informal resolution in lieu of formal resolution. All requests for informal resolution must be made in writing to the Title IX Coordinator. The parties are not required to attempt informal resolution, and informal resolution is not appropriate for all types of alleged conduct. Informal resolution is not permitted for any complaint of sexual misconduct made by a student against an employee. In all other cases, the University shall determine if the matter is eligible for informal resolution.

If the University has determined the matter is eligible for informal resolution and both parties consent to the process in writing, the matter will be referred to the appropriate University official or third party engaged by the University to facilitate the process. Both parties may consult with an advisor before and during the informal resolution process, and the advisor may accompany the Complainant or Respondent to any meetings in connection with the process. Any agreed upon resolution reached by the parties is subject to the University's final approval. This includes any resolution reached by the parties without the University's active participation or involvement.

At any time, either party may elect to discontinue the informal resolution process by providing written notice to the designated University official. The University reserves the right to discontinue the informal resolution process if: information becomes available which makes the matter ineligible for informal resolution; there are health or safety concerns that have not been adequately addressed; an acceptable resolution cannot be reached between the parties; or under other appropriate circumstances. In such cases, formal resolution may begin or resume through the University's sexual misconduct grievance process.

Once the informal resolution reaches an agreed-upon conclusion, which must be approved by the University and acknowledged by the parties in writing, the matter will be considered resolved and not eligible for further informal or formal resolution. The informal resolution is not subject to appeal. Alleged violations of the terms of the informal resolution, retaliation, or other violations will be considered a new and separate matter and will not reopen the original matter.

## **8. Time Frame for Resolution**

The time frame for resolution begins with the filing of a formal complaint. Generally speaking, the University will complete the administrative investigation and resolution of all formal complaints within a reasonably prompt manner, and no longer than ninety (90) business days after the filing of the formal complaint. Periodic updates as to the status of the review or investigation may be provided to both the Complainant and Respondent. Each case is unique, and the process for handling the matter will be impacted by factors such as the complexity of the investigation, the scope of the allegation, the parties' schedules and availability, the academic calendar and any concurrent criminal investigation. Although cooperation with law enforcement may require Villanova to temporarily suspend its administrative investigation, the University will promptly resume its sexual misconduct investigation as soon as it is notified by law enforcement that the agency has completed the evidence gathering process. Villanova will not, however, wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide supportive measures for the involved parties. In the event that the investigation and resolution require additional time, the University will notify all parties of this need and best efforts will be made to complete the process in a timely manner. In no case will these time frames delay University-provided support services, resources, or other measures.

## **9. Timely Warning Notices – Safety Alerts**

A Timely Warning or "Safety Alert" is a way for the University to provide timely notification to members of the University community about reports of serious crimes that have occurred on or within the [Clery](#) geography of Villanova University (on campus or non-campus property or public property) where it is determined that the incident may pose a serious or ongoing threat to members of the University community. The determination of alerts for reports of sexual violence, dating violence, domestic violence, and stalking are considered on a case-by-case basis and depend on several factors. These



factors include: nature of the incident; continuing danger to the campus community; possible risk of compromising law enforcement efforts to investigate; when and where the incident occurred; when the incident was reported; and the amount of information known by the Department of Public Safety. Safety Alerts do not contain any identifying information about the reporting person. More information on Safety Alerts can be found on the [Safety Alert FAQ](#) page.

## 10. Dismissals of Formal Complaints

The Title IX Coordinator may dismiss a formal complaint brought under this policy or any specific allegation(s) raised within that formal complaint, at any time during the investigation or hearing if:

- It alleges conduct that does not fall under this policy;
- The Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations raised in the formal complaint;
- The Respondent is no longer enrolled at or employed by Villanova; or
- Specific circumstances prevent Villanova from gathering evidence sufficient to reach a determination regarding the formal complaint or allegations within the formal complaint.

In such cases, the Title IX Coordinator will provide simultaneous written notification to the parties that the formal complaint is being dismissed Sexual Misconduct under this Policy and provide the basis for that decision. However, if the alleged conduct violates other University policies, information regarding those policies and procedures will be provided to the parties.

Each party may appeal dismissals by submitting a written appeal within five (5) calendar days of being notified of the decision regarding dismissal. If a party appeals, Villanova will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals of dismissals will be decided as outlined below as determined by the role of the Respondent. The individual designated to hearing the appeal will be free of conflict and bias and will not serve as the investigator, Title IX Coordinator, or hearing decision-maker in the same matter.

Role of Respondent	Appeal decided by
Students (non-Law)	Dean of Students or designee
Law Students	Vice Dean or designee
Staff members	Associate Vice President for Human Resources or designee
Faculty members and full-time administrators with faculty appointments	Provost or designee

The outcome of the appeal will be provided in writing simultaneously to both parties and include the rationale for the decision.

## F. REPORTING TO LAW ENFORCEMENT

The University process and the criminal justice process are separate and independent courses of action. A Complainant who wishes to pursue a criminal complaint is encouraged to make a report to law enforcement. Incidents occurring on campus are within the jurisdiction of Villanova University Department of Public Safety. Actions occurring off campus are within the jurisdiction of one of several surrounding townships, most of which are listed above (see section A “Making a Report”). If the Complainant does not know in which municipality the incident occurred, the Complainant should contact the Sexual Assault Resource Coordinator, Public Safety, or 911 for assistance. Upon request, the Sexual Assault Resource Coordinator on call or a representative of the Department of Public Safety can accompany a Complainant to the police department with jurisdiction and assist a Complainant in making a criminal report. Notifying municipal law enforcement will generally result in the Complainant, and in some cases the Respondent, being contacted by a municipal police officer.

The police will determine if a criminal investigation will occur and if the case will be referred for prosecution. Unless there are compelling circumstances, the University will typically not file an independent police report without the consent of the Complainant.

#### **G. AMNESTY FOR COMPLAINANTS AND WITNESSES**

Consistent with the University's Mission and belief that all members have an obligation to promote and protect the health, safety, and welfare of our community, the University strongly encourages community members to report incidents of sexual misconduct so that those affected can receive support and resources. A party who reports such misconduct in good faith, either as a Complainant or a third-party witness, will not be subject to disciplinary action for policy violations such as underage consumption of alcohol or drug use related to the incident. The University may, however, initiate an educational discussion with that individual about the use of alcohol or other drugs and their impact, or pursue other educational remedies. Amnesty does not apply to more serious allegations such as physical abuse or drug distribution.

Submission of a good faith complaint, concern, or report under this Policy will not affect a Complainant's or third-party witnesses' employment, grades, academic standing, or work assignments. However, a person found to have made a false complaint or report, or to have knowingly and willingly given false information during an investigation, will be subject to disciplinary action. A good faith complaint that is not substantiated by a disciplinary process does not constitute a false report.

#### **H. RESOURCES FOR RESPONDENTS**

A University Respondent Resource Coordinator (RRC) is available to provide information on resources for students accused of sexual misconduct. The Respondent Resource Coordinator will assist a Respondent with: obtaining emotional support through counseling; navigating the disciplinary process; and assisting with other questions and concerns. Members of the Respondent Resource Coordinator Team do not act as legal counsel and generally are unable to serve as advisors in University disciplinary proceedings.

Respondents can contact the following resources for information on the University's procedures; rights and responsibilities of the Complainant and Respondent; prohibition on retaliation; and for assistance with obtaining University resources:

<b>Respondent Resource Coordinator Team</b>	(610) 519-8807	<a href="mailto:respondentresource@villanova.edu">respondentresource@villanova.edu</a>
<b>Title IX Coordinator, Ms. Ryan Rost</b>	(610) 519-8805	<a href="mailto:ryan.rost@villanova.edu">ryan.rost@villanova.edu</a>
<b>Dean of Students Office</b>	(610) 519-4200	<a href="mailto:deanofstudents@villanova.edu">deanofstudents@villanova.edu</a>

Members of the Respondent Resource Coordinator Team are required to share reports of sexual misconduct with the Title IX Coordinator. Respondents who wish to maintain confidentiality are encouraged to utilize confidential counseling services at the University Counseling Center. Note that confidentiality will be maintained by a counselor or therapist under all circumstances except when there is an immediate threat of serious harm to a person. This means that, in almost all circumstances, these people are not required to report any information to anyone without permission. Appointments are available Monday – Friday during normal business hours (9 am-5 pm) and can be scheduled by calling (610) 519-4050 or made in person on the 2nd Floor of the Health Services Building. Priests acting in a pastoral capacity are also available as confidential resources. More information on confidential resources can be found in Section B of this policy.

#### **I. DISABILITY ACCOMMODATIONS**

This policy does not alter Villanova University's obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for documented disabilities to the Title IX Coordinator, investigator(s) and decision-makers at any point before or during the grievance process that do not fundamentally alter the process. The University will not affirmatively provide disability

accommodations that have not been specifically requested by a party, even where that party may be receiving accommodations in other institutional programs and activities. Requests should be submitted in advance to allow sufficient time to review, identify and implement any reasonable accommodations.

For APPENDICES please view the full policy in the Villanova Policy Library

## Special Procedures Governing Sexual Misconduct Proceedings

### IMPLEMENTING THE CODE OF STUDENT CONDUCT

When a formal complaint has been filed and the investigation is complete, the procedures set forth below (“Special Procedures”) shall constitute the University’s Title IX and Sexual Misconduct grievance procedures for addressing alleged violations of the Policy on Sexual Misconduct where the accused is a student. The University’s full Sexual Misconduct policy can be found at:

<https://villanova.policytech.com/docview/?docid=199&public=true9>.

### DISABILITY ACCOMMODATIONS

These procedures do not alter Villanova University’s obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for documented disabilities to the Title IX Coordinator, investigator(s) and/or Conduct Review Officer at any point before or during the grievance process that have not been specifically requested by a party, or where that party may be receiving accommodations that have not been specifically requested by a party, even where that party may be receiving accommodations in other institutional programs and activities. Requests should be submitted in advance to allow sufficient time to review, identify and implement any reasonable accommodations.

1. **REPORTING SEXUAL MISCONDUCT**
2. **STUDENT PROCEDURAL RIGHTS**
  - A. **Rights of the Respondent**
  - B. **Rights of the Complainant**
3. **INFORMAL RESOLUTION PROCESS**
4. **FORMAL RESOLUTION**
  - A. **Acceptance of Responsibility**
  - B. **Conduct Review Board**
    - i. **Notice and Participation**
    - ii. **Consolidation Options**
    - iii. **Composition of the Board**
    - iv. **Hearing Procedures**
    - v. **Advisors**
    - vi. **Presentation of Evidence at the Conduct Review Board Hearing**
    - vii. **Closing Statements and Deliberations**
    - viii. **Determination Regarding Responsibility**

## 5. SANCTIONS

### A. Sanctions for Violations of the Code of Student Conduct

## 6. APPEALS

### A. Grounds for Appeal

### B. Process to Appeal

# 1. REPORTING SEXUAL MISCONDUCT

Any University student, faculty member or staff member or individual who believes they have been subjected to sexual misconduct and that a current student has violated the University's Policy on Sexual Misconduct, may initiate a report through the Title IX Coordinator, Deputy Title IX Coordinator, Dean of Students Office, Department of Public Safety, Office for Residence Life, or EthicsPoint Hotline<sup>[1]</sup>. Such a report may be made at any time (including during non-business hours) by using the contact information below:

**Title IX Coordinator** – Ms. Ryan Rost, 204 Tolentine Hall, [ryan.rost@villanova.edu](mailto:ryan.rost@villanova.edu) 610-519-8805

**Deputy Title IX Coordinators** - [Click Here](#) for complete list with contact information.

**Dean of Students Office** – 213 Dougherty Hall, 610-519-4200

**Department of Public Safety** - Garey Hall, 610-519-4444 (24/7)

**Office for Residence Life** - Stanford Hall ground floor, 610-519-4150/4154

**EthicsPoint Hotline**<sup>1</sup> – [www.villanova.ethicspoint.com](http://www.villanova.ethicspoint.com) or 855-236-1443

The individual making the report is referred to in these Special Procedures as the Reporter. The individual who is alleged to have been subjected to sexual misconduct is referred to as the Complainant. A Respondent refers to the person reported to be the perpetrator of conduct that could constitute sexual misconduct under the University's Sexual Misconduct Policy.

When the Title IX Coordinator receives a report of sexual misconduct, they will contact the Complainant to discuss the availability of supportive measures with or without the filing of a formal complaint and explain the process for filing a formal complaint. A formal complaint can be filed by the Complainant in person, mail, email or through other reporting means, but must include a signed (physical or digital signature) written description of the facts alleged and request that the University investigate the matter. In certain circumstances where a Complainant does not wish to file a formal complaint, one may be filed by the Title IX Coordinator to address the safety of the broader educational community. In such cases, the University will inform the Complainant and will share the University's reasoning for needing to file a Formal Complaint as outlined in Section IV.E of the Villanova University [Sexual Misconduct Policy](#). The Complainant may still decide whether and how much they want to be involved in any next steps. As in all cases, the University will only share information with those needing to know in order to conduct the needed investigation and University's response to the report of sexual misconduct. Whether a report results in a full investigation or not, the University will remain ever

mindful of the well-being of those involved and take ongoing steps to prevent retaliation. The University will take action to assist those involved consistent with their wishes. A variety of supportive measures are available to those involved as outlined in Appendix B of the [Sexual Misconduct Policy](#).

The time frame for resolution begins with the filing of a Formal Complaint. Generally speaking, the University will complete the administrative investigation and resolution of all reports within a reasonably prompt manner, and no longer than ninety (90) business days after the filing of the Formal Complaint. Periodic updates as to the status of the review or investigation will be provided to both the Complainant and Respondent. The frequency of these updates will be discussed with the Complainant and Respondent as each case is unique, and the process for handling the matter will be impacted by factors such as the complexity of the investigation, the scope of the allegation, the parties' schedules and availability, the academic calendar, and any concurrent criminal investigation.

If a formal complaint is filed, an investigation by a trained investigator will commence and the parties will be provided with options for informal and formal resolution as outlined below. Once the investigation is complete, the Complainant, Respondent and their advisors will have the opportunity to review relevant documentation related to the investigation. After review, the matter may be referred to the Dean of Students. The Dean of Students and/or their designate (Conduct Review Officer) will review the complaint and investigation and determine whether or not, if proven, the allegations would constitute a violation of the University's Sexual Misconduct Policy. If so, the Complainant will meet with the Dean of Students or the Conduct Review Officer to review the complaint and to discuss the procedures available to them. This meeting will take place promptly after the matter has been referred to the Dean of Students. If not, the procedures for University dismissal of Formal Complaints and appeals for such dismissals are outlined in Section IV E of the Sexual Misconduct Policy.

The individual Complainant will normally have five (5) business days after this meeting to decide whether or not to request the University to pursue the matter under these Special Procedures (which also constitutes the University's Title IX and Sexual Misconduct grievance procedures); however, this time frame may be relaxed in recognition of the unique and complicated dynamics that often confront an individual following an incident of sexual misconduct. The University will provide the individual with resources and information to assist in making an informed and supported choice as to how to proceed. In the event an individual chooses not to pursue resolution of a complaint under these procedures, the University will continue to provide appropriate supportive measures to the parties.

Generally speaking, the University will complete a resolution process involving alleged sexual misconduct in a prompt and timely fashion. All time periods for hearings may be extended by the University in its sole discretion based on the complexity of the case, the seriousness of the offense, or other extenuating circumstances.

If the Complainant and/or the Respondent intend to have their advisor (as defined below) accompany them to any meetings with the Conduct Review Officer, they must provide the name and contact information of the advisor to the Conduct Review Officer at least three (3) business days prior to the initial meeting. If the same advisor accompanies the party to subsequent meetings, additional notification is not required.

## 2. STUDENT PROCEDURAL RIGHTS

Once a Complainant has decided to pursue the complaint through these Special Procedures, the Conduct Review Officer will promptly meet with the Respondent to review the rights and options available and describe potential sanctions for the alleged violation in question. If a student fails to respond to the notice of a meeting with the Conduct Review Officer, the resolution may proceed in their absence and/or a hold may be placed on the student's records until the meeting takes place.

If a Respondent chooses to withdraw from the University subsequent to the filing of a formal complaint, the University may elect to continue with the grievance procedures in their absence and may take appropriate steps to restrict their access to campus and/or University programs.

### A. Rights of the Complainant

1. The right to choose whether or not to participate in grievance procedures;
2. The right to notification of the grievance procedures;
3. The right to be notified of the availability of Supportive Measures as outlined in the University's Sexual Misconduct Policy;
4. The right to review all evidence and the investigative report;
5. The right to a prompt and impartial response and resolution of the complaint;
6. The right to present relevant statements, materials and witnesses during the grievance procedures;
7. The right to have an advisor of choice throughout the process or appointed by the University for a hearing;
8. The right to have available at the hearing all relevant evidence and the investigative report;
9. The right to have an advisor ask questions of any witnesses and/or the Respondent at designated times during a hearing;
10. The right to written notification of:
  1. any finding of responsibility
  2. findings of fact supporting the determination
  3. statement of and rationale for the result as to each allegation
  4. any disciplinary sanctions imposed
  5. any remedies provided
11. The right to be free from retaliation for filing a complaint or participating in the University's grievance process; and
12. The right of appeal consistent with the provisions of these Special Procedures.

## B. Rights of the Respondent

1. The right to choose whether or not to participate in the grievance procedures, with the understanding that findings and sanctions may be imposed with or without such participation;
2. The right to notice of the allegation that a violation of the Code has taken place;
3. The right to notification of the grievance procedures;
4. The right to be notified of the availability of Supportive Measures as outlined in the University's Sexual Misconduct Policy;
5. The right to review all evidence and the investigative report;
6. The right to a prompt and impartial response and resolution of complaints;
7. The right to be presumed not responsible until found otherwise;
8. The right to have the University bear the burden of proof by a preponderance of the evidence;
9. The right to present relevant statements, materials and witnesses during grievance procedures;
10. The right to have an advisor of choice throughout the process or appointed by the University for a hearing;
11. The right to have available at the hearing all relevant evidence and the investigative report;
12. The right to have an advisor ask questions of any witnesses and/or the Complainant at designated times during a hearing;
13. The right to written notification of:
  1. any finding of responsibility
  2. findings of fact supporting the determination
  3. statement of and rationale for the result as to each allegation
  4. any disciplinary sanctions imposed
  5. any remedies provided to the Complainant
14. The right to be free from retaliation regardless of participation in the University's grievance process; and
15. The right of appeal consistent with these Special Procedures.

## 3. INFORMAL RESOLUTION PROCESS

At any time after the filing of a formal complaint, either the Complainant or Respondent may request informal resolution in lieu of formal resolution. All requests for informal resolution must be in writing to the Title IX Coordinator. The parties are not required to attempt informal resolution, and informal resolution is not appropriate for all types of alleged conduct. The University shall determine if the matter is eligible for informal resolution.



If the University has determined the matter is eligible for informal resolution and both parties consent to the process in writing, the matter will be referred to the appropriate University official or third party engaged by the University to facilitate the process. Both parties may consult with an advisor before and during the informal resolution process, and the advisor may accompany the Complainant or Respondent to any meetings in connection with the process. Any agreed upon resolution reached by the parties is subject to the University's final approval. This includes any resolution reached by the parties without the University's active participation or involvement.

At any time, either party may elect to discontinue the informal resolution process by providing written notice to the designated University official. The University reserves the right to discontinue the informal resolution process: if information becomes available which makes the matter ineligible for informal resolution; if there are health or safety concerns that have not been adequately addressed; if an acceptable resolution cannot be reached between the parties; or under other appropriate circumstances.

Once the informal resolution reaches an agreed-upon conclusion, which must be approved by the University and acknowledged by the parties in writing, the matter will be considered resolved and not eligible for further informal or disciplinary resolution. The informal resolution is not subject to appeal. Alleged violations of the terms of the resolution, retaliation, or other violations will be considered a new and separate matter and will not reopen the original matter.

## 4. FORMAL RESOLUTION

Formal resolution of alleged violations of the Sexual Misconduct Policy will occur by acceptance of responsibility or by a Conduct Review Board Hearing.

### A. Acceptance of Responsibility

If the facts of the case are not in dispute, a Respondent has the option to accept responsibility. Following the acceptance of responsibility, the student will be sanctioned accordingly by the Conduct Review Officer utilizing the sanctioning considerations outlined below. Acceptance of responsibility may be rejected by the Conduct Review Officer. The Conduct Review Officer will provide all parties written notice of the sanction(s) imposed. Acceptance of responsibility does not waive the right to appeal as outlined below.

### B. Conduct Review Board Hearing

Conduct Review Board hearings are designed to determine responsibility for alleged violations. As such, the Board's procedures are governed by University policies consistent with federal and state law.

#### i. Notice and Participation

The Conduct Review Officer will inform the Complainant and Respondent of the hearing procedures, date, and time. The Complainant and Respondent are expected to cooperate fully with the Board during the hearing. If either party fails to appear at a scheduled hearing, the Board may proceed without them.

#### ii. Consolidation Options

In Board hearings involving more than one Respondent, the Conduct Review Officer, in consultation with appropriate University officials, may permit the hearing concerning each student to be conducted either separately or jointly.



In situations involving multiple complaints pending against the same Respondent arising out of the same facts or circumstances, the University has discretion to consolidate complaints in situations that arise out of those same facts or circumstances. The University also has discretion, but not the obligation, to solicit and consider the input of the parties regarding the consolidation of hearings. If, during the course of the hearing, further violations of the Code of Student Conduct become apparent, the Board may recommend that such alleged violations be considered as a separate case.

### iii. Composition of the Board

A Conduct Review Board (Board) is generally composed of a chair of the Board, who is normally an attorney (Chair) and three trained faculty/staff members. All members of the Board shall be impartial with no conflict of interest between the Board member and any party. All members of the Board shall receive appropriate training prior to serving on the Board of any case involving such allegations.

The Complainant and/or the Respondent may challenge the composition of the Conduct Review Board if they believe that a conflict of interest exists with a Board member. The party making this challenge must submit a written request to the Conduct Review Officer with specific and verifiable documentation. All objections must be raised within five (5) business days of receiving notification of the composition of the Conduct Review Board. The Conduct Review Officer will make the determination whether to replace the Board member. The Complainant and Respondent may not contact members of the Board, or have third parties contact the Board, prior to the convening of the Board.

### iv. Hearing Procedures

The Chair shall actively participate in the hearing, ask questions, run the hearing, advise the Board on procedural and legal issues, and draft the determinations reached by a majority of the Board. The Chair may or may not be an employee of the University and shall be a non-voting member of the Board.

The Conduct Review Officer, as assigned by the Dean of Students, will facilitate the administrative needs of the Board and will be present during the hearing to provide assistance to the Board.

All hearings shall be held in appropriate facilities designated by the Conduct Review Officer and shall be private. The Conduct Review Officer can provide for the hearing to occur virtually with technology that enables the parties to appear remotely from separate locations. A transcript of the hearing will be made available to the parties to inspect or review upon request.

Disruptive, threatening, intimidating, or uncivil behavior will not be tolerated. Violations will normally result in a warning being issued by the Chair, or the Conduct Review Officer. Repeated violations may result in the offending party being asked to leave the hearing.

### v. Advisors

A Complainant, and/or a Respondent participating in a Conduct Review Board hearing must be accompanied by an advisor. This can be an advisor of their choosing or, if needed, a University-appointed advisor. The advisor may include legal counsel. If the party's advisor of choice is different from the advisor attending previous meetings with the Conduct Review Officer, the party must inform the Conduct Review Officer. This notification must be in writing, a minimum of five (5) business days in advance of the hearing and include the name and contact information for the advisor.

The advisor may provide support, guidance, or advice to the involved student before and during the proceeding. The advisor will not offer testimonial evidence or answer questions on behalf of their

advisee; the advisor may not question their advisee; and the advisor may not present opening or closing remarks. At designated times during the hearing, the advisor may only ask questions of the other party and witnesses in compliance with the Board's procedures and the University's policies and procedures.

#### vi. Presentation of Evidence at the Conduct Review Board Hearing

The Complainant and the Respondent, may present:

- opening and closing statements concerning the alleged violation(s);
- relevant documentation gathered during the investigatory process;
- relevant witnesses identified during the investigatory process.

The Respondent and the Complainant and their advisors may review all evidence and the investigative report provided to the Board prior to the commencement of the hearing and have all evidence and the investigative report available to them during the hearing.

Formal rules of evidence shall not apply. In the Chair's discretion, evidence, shall be permitted if it is relevant, reliable, not unduly repetitious, and it is the sort of information on which responsible persons are accustomed to rely in the conduct of serious affairs.

During the hearing, the parties and witnesses will provide information to and answer questions from the Board. Except for questioning by the advisor, the Respondent, the Complainant, the advisors, and the witnesses will direct their comments and/or questions only to the Board. The Conduct Review Board may consider statements of all parties and witnesses, regardless of their participation in the proceedings. Before any questions are answered, the Chair will determine if the question is relevant. Questions that are determined to be irrelevant and/or duplicative of those already asked may be disallowed.

In general, the following types of evidence and questions are not relevant:

- Evidence and questions about the Complainant's sexual predisposition or prior sexual behavior unless:
  - Such questions and evidence are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
  - The questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

In addition, evidence of pattern of similar conduct by Respondent may also be deemed relevant based on the attendant facts and circumstances. Any party seeking admission of prior sexual history and/or evidence of similar conduct, or seeking to challenge such evidence, must do so in writing: by advising the investigator during the investigatory process; and/or by advising the Conduct Review Officer in advance of the hearing. The written notice shall set forth the evidence the party is seeking to introduce and the relevancy of such information.

The Chair will make the determination as to the admissibility of this information or questions and will instruct all parties accordingly regarding any limit in scope or admissibility.

#### vii. Closing Statements and Deliberations

After all statements and materials have been presented, the Complainant and the Respondent and/or their respective advisors may present final comments to the Board. **Subsequently and in private, the Board will promptly determine by a preponderance of the evidence whether the Respondent has violated the Code of Student Conduct.** The Board's determination shall be by majority vote.

#### viii. Determination Regarding Responsibility

The Conduct Review Officer will simultaneously provide the written Determination Regarding Responsibility to all parties. The Determination will include:

1. Alleged violations of the Code of Student Conduct;
2. A description of the procedural steps taken from the filing of the formal complaint;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section(s) of the Code of Student Conduct, if any, the Respondent has or has not violated;
5. For each alleged violation:
  - a. A statement of, and rationale for, a determination regarding responsibility;
  - b. A statement of, and rationale for, any disciplinary sanctions imposed on the Respondent; and
  - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to Villanova's education program or activity will be provided by the University to the Complainant; and
6. Procedures and the permitted reasons for the parties to appeal as outlined below

Appropriate documentation will be maintained as required to allow the University to comply with applicable law.

## 5. SANCTIONS

After the finding or admission of responsibility, the Conduct Review Officer will impose sanctions after considering the following:

1. The nature of the violation and the circumstances surrounding it, including the actual or potential impact on the individuals involved and/or the community as a whole;
2. Statements made or evidence presented in the investigative report and/or hearing;
3. Prior disciplinary record of the student;
4. Disciplinary precedent;
5. Guidelines in the Code of Student Conduct.

The Conduct Review Officer may consult with other University officials as they deem appropriate.

## A. Sanctions for Violations of the Code of Student Conduct

Sanctions serve to reinforce that students are held responsible and accountable for their behavior. This is accomplished by measures to educate, to deter future misconduct, and to provide consequences for one's actions.

Villanova University reserves the right to notify parent(s)/legal guardian(s) about the disciplinary status of their student, to the extent consistent with the provisions of the Family Educational Rights and Privacy Act.

Disciplinary sanctions comprise the range of official actions which may be imposed for violations of the Code of Student Conduct. Any violation of the Code of Student Conduct may result in the full range of sanctions outlined in the [Sanctioning](#) section of the Student Handbook, and one or more may be imposed in response to a given situation.

## 6. APPEALS

The Dean of Students or their designate (hereafter referred to as the “Dean of Students”) will review appeals for new disciplinary proceedings or a review of sanction. The Dean of Students may consult with other University officials as they deem appropriate. All decisions made by the Dean of Students are final, including whether or not an appeal is procedurally permitted.

During the appeal process students may be subject to certain restrictions, impacting such things as: class attendance; on-campus housing; participation and/or membership in organizations, athletic events/teams/clubs, and/or extracurricular activities; attendance at University events/functions; and access to University buildings.

### A. Grounds for Appeal

The Respondent and the Complainant may request an appeal based only on one or more of the following grounds:

#### **Appeal for a New Hearing:**

1. Procedural Irregularity - A material procedural defect in the original hearing that affected the outcome;
2. New Evidence - New material evidence that was not available, through no fault of the appealing party, at the time of the original hearing that could have affected the outcome; or
3. Conflict of Interest or Bias - The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general, that affected the outcome.

#### **Appeal for Review of Sanction:**

The parties may appeal that that sanction imposed were disproportionate to the violation.

## B. Process to Appeal

The Respondent and the Complainant may request an appeal within five (5) business days from the time of notification of determination.

Appeals must be submitted to the Dean of Students in writing and:

- Be from and signed by the Complainant and/or Respondent;
- Consist of a concise and complete statement no more than eight (8) single spaced pages (including attachments) utilizing 12 point font;
- Set forth the grounds for appeal.

If the appeal is not based on appropriate grounds, it will be denied. If the appeal is based on appropriate grounds, the Dean of Students will notify both parties of the filing of the appeal. Each party will be given the opportunity to review and respond, in writing, to the other party's appeal. This response must be submitted within five (5) business days of the filing of an appeal.

1. If the appeal is determined to be based on appropriate grounds and alleges a Procedural Irregularity or New Evidence, this appeal will be resolved prior to addressing Appeals for Review of Sanction. The Dean of Students will review the appeal promptly and notify the parties of the outcome.
2. Subsequent to resolution of Appeals for Procedural Irregularity and New Evidence (if submitted), if the appeal is determined to be based on appropriate grounds for Review of Sanction, the Dean of Students will accept as final and binding the previous decision that the Respondent has violated the Code of Student Conduct. Each party will be given the opportunity to separately meet and discuss their appeal and/or their response to the other party's appeal with the Dean of Students. Each party may be accompanied by their advisor. Parents and guardians are permitted to participate in this discussion. The voluntary meeting will normally be scheduled within ten (10) business days of the original appeal being filed.

The Dean of Students will normally advise the parties of the final results of the grievance process within five (5) business days of the last voluntary meeting.

### **SEXUAL MISCONDUCT COMPLAINT PROCEDURES FOR COMPLAINTS AGAINST FACULTY OR STAFF**

Complaints of sexual misconduct against faculty or staff governed by special procedures outlined in section IV E of the University's [Sexual Misconduct Policy](#).

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[1] Although the University encourages a Complainant to talk with someone directly, the University does provide an anonymous on-line reporting option, [www.villanova.ethicspoint.com](http://www.villanova.ethicspoint.com) and an anonymous phone reporting option (855-236-1443). This report will prompt an investigation. However, the University's ability to respond effectively may be limited by the level of information provided and/or the anonymity of the complaint. All anonymous reports of sexual misconduct will be referred to the Title IX Coordinator.

# Residence Life Policies

## Residence Life Policies

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The Office for Residence Life is committed to providing students with a residential experience that enhances and extends the educational mission of the University by promoting positive opportunities for personal development, and facilitating a strong sense of community responsibility among residents. The Office believes that the development of a successful residential community depends on the willingness of its members to commit themselves to the common good of all and to compromise individual preferences, as required, to maintain fairness and order.

In keeping with that belief, students are expected to familiarize themselves with and adhere to the following policies, procedures and regulations governing residential living at the University. These policies may be amended during the course of the academic year as the University deems appropriate.

In addition to these policies, the provisions of the Code of Student Conduct and all University policies are in effect at all times in the residence halls and students are expected to comport themselves accordingly. Students in violation of these policies, procedures, and regulations may be subject to action under the Code of Student Conduct. Additionally, the University reserves the right to reassign or temporarily revoke on-campus housing or take other appropriate administrative action as deemed necessary, without a formal hearing, for those students whose behavior is considered disruptive or potentially detrimental to the individual, roommates, and/or others in the residential community.

### **Public Health-Informed Housing Policies for COVID-19**

## I. Administrative Policies

### A. Compliance with Housing Contract

Violations of the Housing Contract or published rules and regulations for residence halls are subject to disciplinary action. Students for whom those contracts are applicable are responsible for understanding their rights and obligations under those contracts and regulations.

## B. Housing Assignments

Housing assignments are the exclusive responsibility of the Office for Residence Life. The Office reserves the right to change or modify housing assignments and fill housing vacancies as necessary. Students may not change assignments without authorization in writing from the Office for Residence Life. Students who change assignments without authorization are subject to a \$100 per day fine. Attempts to fraudulently manipulate the housing assignment process may result in disciplinary action. In order to maintain an assignment, the University housing space must be a student's primary place of residence while classes are in session. Residents who are not living in the space they were assigned or who allow others to occupy the space assigned to them will be subject to disciplinary action and/or termination of their housing contract. Unless otherwise approved residency in Villanova University on-campus housing is restricted to full-time, undergraduate students taking at least 12 credit hours. The University does not provide family, graduate student or married student housing, except for designated University employees.

## C. Move In/Move Out

Move-In and Move-Out dates and times are established and promulgated by the Office for Residence Life. Students must move-in/move-out in accord with these dates and times. Failure to do so may result in a \$100.00 per day fine. The Office for Residence does not permit students to access their residence halls/apartments prior to scheduled move-in dates or remain in their housing assignments beyond scheduled move-out dates unless a University staff or faculty member has officially requested their participation in an approved, University-sponsored and supervised activity. All University policies and the provisions of the housing contract are in effect for all students given permission to arrive early or remain late.

## D. Personal Property

Students are required to remove all personal property and furnishings (e.g., couches, chairs, rugs, electrical appliances) from their room/apartment prior to check-out at the end of each academic year. Items that remain become the property of the University and will be removed. Residents will be assessed a \$50.00 fine (per resident) and a labor charge for the removal and disposal of all personal items remaining after checkout. The University assumes no legal obligation to pay for loss of, or damage to, items of student's personal property occurring on campus or in its buildings or storage areas. It is highly recommended that students insure their own personal property via their parent's homeowners insurance or a renters/tenants insurance policy. Personal property must be stored in residence hall rooms/apartments. Students are not permitted to store personal property in hallways, lounges, bathrooms, stairwells, laundry rooms or other common areas. Additionally, personal property may not be stored in exterior areas adjacent to residence halls. Personal property found in these areas is subject to confiscation and disposal.

## E. Residency Requirement and Housing Guarantee

Students admitted to the University as a resident student are required to reside in on-campus housing during the academic year for their first two years of enrollment. First- or second-year students who wish to reside off-campus during the academic year at a residence other than their permanent address must request permission in writing from the Office for Residence Life. To be considered, the request must identify extenuating circumstances. If approved, students will forfeit the three-year housing guarantee and be ineligible to participate in future housing selection processes.

Current residential capacity permits the University to offer students admitted as full-time residents three years of continuous on-campus residency. A fourth year of residency will be provided to those students who were admitted to the University as first-time (non-transfer) students under a special program that guaranteed an additional year of on-campus housing. Other 4th year students may request housing via a lottery process. Students who transfer to the University are not guaranteed on-

campus housing, but may be offered residency on a space available basis. If a student withdraws from university housing for any reason and desires to return, they are no longer guaranteed residency and will be housed on a space-available basis.

## F. Room Changes

Residents interested in changing their housing assignments must obtain and complete a room change request online. In all cases, changes must be approved by Residence Life. In the event that a request is precipitated by a roommate conflict, room changes will normally only be approved after other methods of resolving the conflict have been attempted. Mediation of conflicts may be sought from the Residence Life staff, but every effort should be made by the residents to resolve issues among themselves. If conflict resolution is unsuccessful, the student initiating the request will be granted a room change, subject to availability. Students changing assignments in the absence of authorization may be subject to a \$100 per day fine, reassignment, disciplinary action and/or termination of their housing contracts.

## G. Room Entry

The University reserves the right to enter, search and inspect rooms and all contents of the room without prior permission from residents. Whether the University decides to enter, search and inspect a room will be determined at the sole discretion of University Officials. University Officials include members of the Villanova University Police Department whose presence is requested to assure the safety and welfare of other University Officials entering the room. Situations which may result in the University searching the contents of a room include, but are not limited to: if the University has reason to suspect that an emergency situation exists; if it has reason to suspect a violation of University policy; to determine the well-being of residents; to locate persons or missing property; to complete fire safety inspections; to facilitate maintenance; or to insure that safe and sanitary conditions exist. No community member may install additional locks, latches, or other devices that may impede access by University officials or modify their room locks or combination in any way.

Room inspections will be conducted prior to Fall, Winter and Spring Breaks, and as necessary by University staff or Township personnel or their independent contractors, to ensure that safe and sanitary conditions are being maintained. Students who persist in maintaining unsafe or unsanitary conditions after being asked to correct deficiencies may be subject to disciplinary action and/or loss of their campus residency.

Prohibited or illegal items discovered during these inspections or fire safety inspections will be confiscated, not returned, and turned over to the Villanova Police Department when appropriate.

## H. Room Selection and Assignment Process

First-year college students are assigned to rooms and buildings using a variety of criteria. Upper-class students are provided with the opportunity to participate in a class-specific room selection process that utilizes a computerized, randomly generated number to determine the order in which residence hall rooms and/or apartments are selected for the following academic year. Previous housing assignments, assignment to a “triple”, difficulties with room-mates, academic standing, participation in special activities and other factors are not considered when generating selection times. Residence Life reserves the right to override housing selections and address housing concerns, as needed.

The Office for Residence Life normally maintains a waiting list for students who desire on-campus residency, but were admitted to the University as commuters or are not otherwise guaranteed housing. In years where overcrowding is anticipated, a wait list may not be maintained. A housing assignment made via the waiting list is valid only until the end of the academic year in which it was made. Students who receive on-campus residency via the waiting list are considered “temporary residents” and are not eligible for on-campus housing or participation in the housing selection process for the following year.



## I. Semester Break Periods

Students are not permitted to remain in the residence halls during semester break periods without authorization from the Office for Residence Life.

Requests must be made in accord with Residence Life procedures and must state the reason for the request. The Office for Residence Life reserves the right to approve or deny requests as necessary. Residents who attempt to remain in the halls without authorization are subject to disciplinary action and a fine of \$100.00 per day.

Depending on the length of the break and the demand for housing, students may be permitted to remain in their current housing assignment or may be asked to consolidate into another hall for reasons of safety and security. The schedule for the opening and closing of residence halls during semester break periods shall be determined by the Office for Residence Life.

All University policies and the provisions of the housing contract remain in effect for all students remaining on campus during break periods and senior week.

## J. Terms of Occupancy

In signing a University Housing Contract, students agree to occupy the space they have been assigned on or after the date specified by Residence Life and to vacate their assignment within 24 hours of their last examination for the semester, conclusion of a full-time academic internship, graduation, suspension, withdrawal, leave of absence or other termination of full-time student status. When vacating a residential assignment, students are responsible for returning the space to its original condition.

Housing contracts will terminate automatically in the case of authorized withdrawal, academic or disciplinary suspension, participation in student teaching or other mandatory academic field placement assignment, graduation, and/or in the event of marriage. Generally, students will not be released from housing contracts during the academic year. However, students desiring to be released from contractual obligations for other compelling reasons may submit written requests to the Office for Residence Life, which has discretion to permit or deny the request.

For upper-class residents, a fee of \$500 will be charged for early contract release and/or termination occurring prior to May 15. A fee of \$1,000 will be charged for early contract release and/or termination occurring after May 15. This fee will not be charged in the event of an authorized leave or withdrawal from the University for academic, personal, and/or medical reasons. Upon termination of the housing contract, a partial refund of payments made in advance may be granted in the discretion of the University, in accordance with University policies.

Housing contracts are not transferable. If assigned accommodations are destroyed or made unavailable, and the University does not furnish other accommodations the contract shall terminate. All rights and liabilities of the parties involved shall cease and the University may offer fair and reasonable reimbursements for impacted students as appropriate, with the amount to be determined at the discretion of the University.

## II. COMMUNITY POLICIES

### A. Behavioral Expectations

Residential students are expected to comport themselves in a manner consistent with the provisions of the Code of Student Conduct and all other University policies contained in the Student Handbook. Additionally, living in community requires sensitivity toward and respect for the needs and identities of others. As the primary enterprise of the University is education, behaviors considered appropriate in other settings may be inappropriate or insensitive in a residential community that must be supportive of the educational goals of its constituents.

## Disruptive Behavior

As residential living is intended to complement a student's academic pursuits, the creation of an "academic atmosphere" in the residence halls is essential to meeting educational goals. Toward that end:

- Behavior which is disruptive to the residential community is prohibited at all times.
- Residents should keep noise in their own rooms, in hallways and in common areas to a minimum and non-intrusive level.
- Residents should maintain the volume of electronic or other devices at a level that does not disturb other residents or any member of the University community. The use of headphones or earphones is encouraged.
- Sound amplification equipment placed in windows for the purpose of directing music into public areas is prohibited. These items may be banned or confiscated if they become cause for complaint or disruption.

To achieve this goal:

- Each residence hall will maintain "Quiet Hours" from 8:00 p.m. to 8:00 a.m., Sunday through Thursday and 11 p.m. to 8 a.m. on weekends.
- During those hours, residents are expected to refrain from any activity which is disruptive to the residential community and to remain particularly sensitive to the needs of fellow residents.
- During exam periods residence hall "Quiet Hours" will be extended to include 24 hours of each reading and exam day.
- When "Quiet Hours" are not in effect, consideration and respect for others should continue to guide a resident's behavior and activities.

## Relational Expectations

Students who choose to reside in the residence halls enter into a voluntary community and, in doing so, are expected to treat one another with "mutual love and respect" in the spirit of St. Augustine. Consistent with the Code of Student Conduct, insensitive, disrespectful, discriminatory, bigoted, racist, harassing, threatening, obscene or violent behavior is considered most offensive, especially among those living together in community. Such behaviors are strictly prohibited and will not be tolerated in the residential community.

As a Catholic and Augustinian University, Villanova University adheres to the Church's teachings with respect to sexual intimacy, specifically, that a genuine and complete expression of love through sexual union requires a commitment to living and sharing of two persons in marriage. Accordingly, violations may be referred to the Dean of Students Office, particularly in those cases that involve disruption to roommates or the residential community.

## B. Health, Safety and Security Expectations

The Office for Residence Life expects all members of the Villanova University community to be active participants in the creation and maintenance of a safe, healthy and secure residential environment.

### Dangerous Practices

The following are defined as particularly dangerous behaviors in a residential community. Students found engaging in these behaviors may be subject to disciplinary action.

- blocking or preventing the use of room doors, hallways, exit doors and stairwells;
- any action which compromises the security of residents including, but not limited to, propping open or otherwise tampering with the locking mechanism of interior or exterior doors;
- constructing any object or modifying the residence hall in any way that may contribute to fire hazard, physical danger or unsafe conditions;

- entering or misusing restricted areas such as roofs, balconies, fire escapes, attics, work rooms or storage areas;
- possession, use or storage of flammable/combustible materials or liquids, or other heat producing materials, combustible liquids, or devices, including outdoor grills;
- individual or group activities that may lead to injury or destruction of property including, but not limited to, ball games and sports played within the hall;
- removal of or damage to exit signs, emergency phones or other safety/security notices or devices;
- tampering or misuse of fire safety equipment such as extinguishers, smoke detectors, alarms and sprinklers;
- projectiles involving gunpowder or other propellants;
- any object or substance thrown with the potential of defacing or damaging personal or University property or causing personal injury or disruption;
- tampering with interior and/or exterior door locks.
- The use of hoverboards is strictly prohibited in the residence halls. Hoverboards may not be used, plugged in or charged in any of our on-campus facilities.

### Electrical Appliances

Because of their potential contribution to accidental fires and unsanitary health conditions and in an effort to conserve energy, the following electrical appliances are restricted or prohibited in all University residences. Students found in violation of these policies will be subject to immediate confiscation and disposal of the appliance(s), and referral for disciplinary action.

- Hot plates, induction cooktops, space heaters and any appliance with an open heating element are prohibited.
- Toaster ovens are permitted in the apartments, but are not permitted in the traditional residence halls.
- All lamps and appliances should be UL approved. Halogen lamps are prohibited.
- Since all residence halls are equipped with window units or central air conditioning, personal or supplemental air conditioning units are not permitted in the residence halls.
- Refrigerators are restricted to one 5-cubic foot unit per residence hall room.
- Extension cords and surge protectors must be UL approved. Extension cords/plugs should not be placed under carpets, tacked or stapled. Major appliances should not be plugged into extension cords.
- Plug adapters should be UL approved and not rated less than 125 volts/15 amperes. Residents should employ the prudent use of surge protectors to protect property from unexpected electrical damage.
- Heavy drawing appliances (irons, hair dryers, televisions, refrigerators, microwaves) should be plugged directly into socket outlets and unplugged when not in use.

### Fire Safety

*Alarms:* Students may not disregard a fire alarm or refuse to evacuate a building in which an alarm is sounding, regardless of its nature (drill, false alarm, or actual alert). Residents who fail to evacuate a building in a voluntary and timely manner will be subject to disciplinary action as outlined in the Code of Student Conduct.

*Candles/Open Flames:* Candles (of any type or form, whether decorative or functional), open flames, potpourri burners and the use of incense, are all prohibited in University residence halls and apartments. The University reserves the right to sanction the residents of a room or apartment where a violation occurs whether or not the residents are present at the time of the violation. Prohibited items will be confiscated and not returned. Violations may result in disciplinary action as outlined in the Code of Student Conduct.

*Equipment:* Tampering with or misuse of fire safety equipment (extinguishers, fire hoses, smoke detectors, alarms, sprinklers, exit signs) is considered to be exceptionally dangerous behavior in a

residential community and represents a serious breach of community safety standards. Students found responsible for tampering with or misusing fire safety equipment will be subject to disciplinary action as outlined in the Code of Student Conduct.

When individuals responsible for activating a false fire alarm or damaging a fire extinguisher fail to claim direct responsibility for that behavior, cannot be identified by Residence Life staff and are not identified by the residents of the building in which the vandalism occurred, the administrative measures and/or fines in question may be assessed against the entire hall.

*Decorations:* Due to potential fire hazards, the use of decorations MUST adhere to the University guidelines. Decorative lights must be UL-Approved and may not be placed on the outside of doors, windows or buildings. It is against policy to leave decorative lights on when no one is present in the room to attend to them. Decorative lights may not be hung from ceilings, nor may they obstruct doors or windows. Decorations should be flame retardant and must not be placed on the exterior of room doors; near or over electrical outlets; on or near light fixtures, fire safety equipment, or radiators or heating vents/units. No live trees, wreaths or garland (treated or untreated) are permitted.

#### Food Preparation/Storage/Trash Disposal

Storage and extensive preparation of food in residence halls frequently contributes to electrical overload as well as fire hazard, sanitary and health concerns. As a result, meal preparation in traditional residence halls should be kept to a minimum and students are expected to use the University meal plan as provided. In the interest of controlling pests, all food items kept in residence hall rooms should be kept in tightly-sealed hard plastic containers and trash should be emptied regularly in designated common trash disposal areas.

#### Service, Emotional Support and Other Animals

In support of our students, the University has adopted policies that oversee the presence of Service and Emotional Support Animals in the residence halls. The full-text of the policies can be found:

- Service Animal Policy, click [HERE](#)
- Emotional Support Animals in the Residence Halls Policy, click [HERE](#)

For health and safety reasons, animals (including reptiles, fish and birds) that are not approved for service or emotional support are not permitted in the University residence halls or apartments. Residents found in violation of this policy will be subject to a fine of \$50.00 per day and disciplinary action.

#### Smoking

All residence halls and apartments are smoke free. Smoking, including electronic or tobacco-free cigarettes and vaping are strictly prohibited in all areas (public areas and student rooms) of these buildings. While the use of smokeless tobacco is not prohibited, individuals who use these products are responsible for proper disposal. In accord with University policy, smoking is permitted outside of residence halls, provided the person is 25 feet from an entrance or exit, air intake duct or window.

#### Unauthorized Recording Equipment

As it is an infringement upon the privacy of others, the use of hidden/unauthorized surveillance equipment (e.g., cameras, video cameras, webcams, tape recorders or other similar recording/monitoring devices) is strictly prohibited in the residence halls.

#### Water Intrusion and Moisture Control

In order to reduce the possible occurrence of mold, mildew or other fungal growth, it is necessary that you provide appropriate climate control, keep the room/apartment clean and take other measures to prevent the build-up of moisture in your room/apartment.

Residents:

- Should not open windows while heating/cooling units are operating. This can cause condensation and may contribute to mold growth.
- Should not place bed, large boxes, other furniture, or clothes directly in front of the heating/cooling unit to maximize air flow.
- Should not place potted plants or any other source of moisture on or around heating/cooling units.
- Should not set thermostats lower than 72 degrees year-round (please refer to instructions posted on the heating/cooling unit).
- Should not leave wet or damp clothes, towels, or shoes in closets, drawers or under beds.
- Should empty trash on a regular basis.
- Should promptly clean up food and drink spills.

If you see or suspect mold or excess moisture in your room, in your ac/heating unit, or in a common area your residence hall, immediately [submit a work request](#) to Facilities Management and/or contact the Office for Residence Life.

Wildcards

Residents are responsible for using Wildcards in a manner that does not jeopardize the safety or security of individuals or property. Residents are expected to carry their Wildcards at all times when outside of their rooms and to keep interior room doors locked as appropriate. Residents who become locked out through failure to carry their Wildcard may be assessed a fine per occurrence. Residents of a room may be held accountable for violations of the Code of Student Conduct that occur in their room whether or not they are physically present at the time of the violation. A lost Wildcard should be reported immediately to Public Safety or the Wildcard Office.

## C. Guests and Visitation

The University's policies on guests and visitation are anchored in a concern for residence hall security, the privacy rights of roommates and building residents, and the maintenance of an atmosphere conducive to academic achievement.

The misuse of guest and visitation policies or visitation hours constitutes a violation of the Code of Student Conduct. Such behavior may result in disciplinary action, including reassignment or the revocation of campus residency of all parties involved. The University reserves the right to revoke guest and visitation privileges for individual students and/or rooms/apartments as necessary.

Policies:

1. Guest visits should be of limited duration, regardless of the hour, day or night. For purposes of this policy, a guest is defined as a person who is not the current resident of the room in which they are present. Consideration for roommates and other building residents dictate that visits not infringe on another's rights to privacy, sleep and quiet study space. If the presence of a guest infringes on the rights of the roommate or building residents, then the guest must leave.
2. Roommates must complete and submit to their Resident Assistant a written roommate living agreement that addresses the presence of guests in the room and is consistent with the policies stated above. Failure to comply may result in revocation of guest privileges for residents of the room/apartment.
3. Overnight visits should only occur on a limited and infrequent basis. Overnight visits must be in accord with roommate living agreements and visitation hours and should not exceed two consecutive nights. Visitation to the extent of co-habitation is not permitted and constitutes a violation of the Code of Student Conduct.
4. Residents should accompany non-university visitors, as well as visitors who do not reside in the same residence hall, at all times. Residents may be held personally accountable for damages and/or violations of University policy by their guests.
5. The misuse of bath and shower rooms is strictly prohibited for all residents and guests.

6. For reasons of safety and security, children under the age of sixteen (16) may not be present in University resident hall rooms or common areas for any purpose or period of time unless accompanied by a parent or legal guardian, or as a direct consequence of participation in a recognized University program or activity specifically designed to include children. Children, even those accompanied by a parent or guardian, are not permitted in the residence halls for extended periods of time.

#### Visitation Hours:

First-Year Residents: The University has an obligation to assist new students in their transition from living at home to living in a campus residential community. Accordingly, visitation hours for first-year college students are established as follows:

*Same Gender Guests:* Guests of the same Gender are permitted to visit first-year college student rooms at all times, provided that the visits are consistent with the roommate living agreement and the policies stated above.

*Opposite Gender Guests:* Guests of the opposite Gender are permitted to visit first-year college student rooms during the following hours only, provided that the visits are consistent with the roommate living agreement and the policies stated above.

- Weekdays (Sunday to Thursday) - 10:00 a.m. until midnight;
- Weekends (Friday and Saturday) - 10:00 a.m. until 2:00 a.m.

Weekday visitation hours will apply during New Student Orientation, Reading Day, and evenings prior to final examinations.

Weekend visitation hours will apply on the following dates:

- Sunday prior to Labor Day
- Sunday prior to Martin Luther King Day

Guests of the opposite gender are permitted in building lounges outside of these hours, provided that they are accompanied by a current resident of that building and that their presence is not disruptive to the residential community.

The presence of opposite gender guests in first-year college student rooms outside of established hours is a violation of the Code of Student Conduct. Students in violation of this policy will be referred to the Dean of Students Office and subject to disciplinary action.

Upper Class Residents: All guests are permitted to visit upper class resident rooms/apartments at all times, provided that the visits are consistent with the roommate living agreement and the policies stated above.

## D. Use of Facilities

### Elevator Access

Some residence hall elevators are restricted to business use by University employees. Residents with medical or physical need to use an elevator may obtain access by submitting a request to the Office for Residence Life. Misuse of elevator access privileges may result in disciplinary action.

## Furniture and Room Furnishings

Room furnishings provided by the University must remain in rooms and/or apartments at all times. At no time may students remove room furnishings, including but not limited to mattresses and desk chairs, from their rooms.

Temporary removal of furniture is usually not permitted. Requests for exceptions should be submitted in writing to the Office for Residence Life. If exceptions are approved, the resident is responsible for storing and returning the furniture in question.

## Lounge Utilization/Furniture

As residential lounges are provided for the use of all building residents, groups are usually not permitted to reserve those spaces for private or restricted activities. Exceptions may be made when the appropriate Area Coordinator for Residence Management determines that an activity is of potential benefit to the residents of a particular building. Lounge and public area furniture may not be moved into rooms or apartments for personal use. Each resident found with lounge or public area furniture in their room or apartment is subject to disciplinary action and/or a fine of \$50.00 for each occurrence.

## Room Condition/Damage Assessments

The condition of residence hall rooms and campus apartments are assessed by Residence Life staff prior to student occupancy and documented on a Room Condition Form. Students are provided with the opportunity to review the Room Condition Form and may make necessary adjustments for a period of time following check-in. Students who make no changes during the allotted time period agree to the form in its entirety.

During occupancy, personal construction of any kind (i.e., shelves, lofts, platform beds and similar items) is prohibited. Residents may not drill holes or permanently attach any objects to walls, floors, ceilings or doors.

Decorations should be mounted to walls so as to avoid marring painted surfaces when removed. Tape, duct tape, nails, tacks and screws are prohibited, as they damage wall surfaces. Residents may not attach stickers to doors, walls, furniture or windows and may not affix any items to the exterior of room doors and areas adjacent to room doors, including memo boards. Residents may not paint any area of university housing facilities. Unauthorized painting will result in a \$100.00 fine and attendant charges for repainting of the area.

Residents are expected to return their rooms/apartments to their original conditions upon departure. Prior to the close of the academic year, students will be provided with detailed information concerning expectations for the condition of their room/apartment and building common areas at the time of departure. After check-out, rooms/apartments will be evaluated against information contained in the Room Condition Form. Occupants will be held individually or jointly responsible for unauthorized changes, damages or missing furniture that were not specified on the original Room Condition Form.

Residents of a building or subsection of a building may be held financially responsible for damages to common areas and equipment (e.g., hallways, lounges, lavatories), when the students responsible for those damages do not claim responsibility and cannot be identified.

## Room Decoration

Students are encouraged to display appropriate room decorations, in collaboration with roommates, to create an environment within the room that represents their personality and interests while being mindful of the impact on roommates, community members, and residential facilities. Room decorations may not impede or disrupt an educationally purposeful residential environment, and should align with the University's values of mutual love and respect. No decoration should discriminate, intimidate, threaten, harass, or harm others on the basis of race or ethnicity, gender identity or sexual orientation, religion, national origin, socio-economic status, and/or ability, among other identities and experiences.

Additionally, room decorations may not be permanently attached to any furniture, wall, floor, or ceiling. Decorations should be mounted to walls so as to avoid damaging painted surfaces when removed. Tape, duct tape, nails, tacks and screws are prohibited, as they damage wall surfaces. Residents may not attach stickers to doors, walls, floors, ceilings, furniture or windows and may not affix any items to the exterior of room doors and areas adjacent to room doors, including memo boards. Residents may not paint any area of university housing facilities. Room decorations must also be in compliance with all other Residence Life regulations, including the policies on "Fire Safety" and "Windows, Window Screens and Window Displays".

Failure to comply with the Room Decoration policy may result in the student being asked to remove the decoration(s), confiscation of the decoration(s), fees for room damage or cleaning, and/or a disciplinary referral to the Dean of Students Office

#### Windows, Window Screens and Window Displays

Windows should not be blocked under any circumstances. Windows should not be used as a method of access or egress, except in case of emergency. Removal or tampering of window screens from rooms or common areas, or the opening or tampering of security screens, is prohibited. Students in violation of this policy may be fined and/or referred for disciplinary action.

Students may not post, hang or display signage, flags, decorations, lighting or any other items in, on or around residence hall windows, window coverings or common area windows, and items on sills should not face outwardly through windows. If students violate this policy, Residence Life will typically inform the student(s) that the material must be removed immediately. Failure to comply with this policy or with directions for removal may result in disciplinary action. The University reserves the right to remove and/or confiscate items that violate this policy at any time.

### E. Publicity and Sales in the Residence Halls

#### Publicity

All advertising prepared for distribution or posting in the residence halls must be stamped "Approved for Posting" by the appropriate University department and must be posted in appropriate designated areas within the residence halls.

With the exception of floor/building notifications posted by the resident assistants, advertising or publicity exclusively intended for the residents of an individual building must be approved and stamped for posting by the Coordinator for Residence Management responsible for the area of the campus in which the hall is located.

Advertising or publicity for events open to all residents and/or members of the general campus community must be approved and stamped for posting by the Student Involvement Office.

The University reserves the right to remove all postings that do not comply with this policy.

#### Sales and Solicitation (also see Non-Solicitation Policy)

Students and student organizations, including Hall Councils, are not permitted to infringe upon the privacy of residents in University residence halls, apartments and common lounge areas for the purpose of raising funds or generating revenues. In accordance with University policy, all fundraising and revenue generating activities in the residence halls/apartments must be approved by the Office for Residence Life. Hall Councils interested in sponsoring fundraising activities are expected to submit proposals through the appropriate Residence Life staff member. Sales of items using residence hall names, depictions of residence halls or other references to residence halls is strictly prohibited without prior approval of the Office for Residence Life.



Additionally, residents may not operate “for profit” or “not for profit” business ventures from their room or apartment. Exceptions may be made for approved projects or assignments as part of an official academic class or program. Any approved activity may not disrupt, exploit, or infringe upon roommates or hallmates, nor otherwise disrupt, exploit, or infringe upon the community or campus operations. Door-to-door or direct in-person or electronic solicitation to students, faculty or staff is prohibited.

## Co-Curricular Policies

### Co-Curricular Policy

Villanova University recognizes and supports the right of the community to gather, to organize, and to extend the learning environment of the campus beyond that of the formal classroom. This right, however, is not without corresponding responsibility or limitation.

The expectations which follow are intended to facilitate the integrity, safety and well-being of individuals and groups within our academic community, and the institution. All of the policy statements contained within the Handbook apply to individuals and to recognized student groups. Students and student organizations which are suspected of violating these policies will be referred to the Office of the Dean of Students. The appropriate procedural options for implementing the Code of Student Conduct will be used to resolve behavior which is inconsistent with policies governing the co-curricular life of the University.

## On-Campus Assemblies and Demonstrations

### A. Values

Villanova University is a Catholic, Augustinian institution of higher learning that is committed to academic excellence, academic freedom, and intellectual, spiritual, moral, and social growth. Above all, the University seeks to reflect the spirit of St. Augustine by the cultivation of knowledge and the encouragement of freedom of inquiry, by respect for individual differences, and by adherence to the principle that mutual love and respect should animate every aspect of University life.

Respecting the principles and responsibilities of academic freedom, and recognizing the importance of the perceptions of both internal and external communities, the University encourages the open exchange of ideas on a variety of subjects, including those that are controversial. In fact, Villanova officially recognizes the right and even the responsibility, at times, of the University community to express their collective or individual voices for or against a given issue. The fundamental rights of freedom of inquiry, speech, and lawful assembly both ensure and limit this right to demonstrate. Villanova, to be true to its university status, must foster investigation, concern, and the essential elements which make academic freedom a viable reality. Thus, Villanova University students, student groups or student organizations may peacefully assemble or demonstrate to address the full range of intellectual, moral, and social issues. In keeping with the educational mission of the University, the academic character and educational value of all such events is the motive and rationale for their occurrence.

Opportunities to assemble or demonstrate do not imply University approval or endorsement of the positions taken by those assembled or of their previous or subsequent views. To the best of its ability, the University will ensure that all assembled will be able to express their views and that open discussion will take place. This policy presumes that those organizing an assembly or demonstration will exercise sound judgment in establishing the particulars of a given event.

Although this policy assumes that members of the community will exhibit appropriate and respectful demeanor toward each other, it is recognized (a) that some issues may often challenge existing attitudes and beliefs and/or trigger disagreements, and (b) that no policy, no procedures, and no organizer of an assembly or demonstration, can guarantee against the possibility that an expression may offend listeners, that some assembled may unexpectedly deviate from anticipated expression, or that participants in the event or other members of the community might engage in inappropriate behavior.

The following conditions, guidelines and responsibilities govern on-campus assemblies and demonstrations by Villanova University students, student groups and student organizations (also referred to as “Event”). If the assembly or demonstration involves an outside speaker, the provisions of the “Events and Speakers Policy” must also be followed.

## B. Conditions

1. The freedom to peacefully assemble and/or demonstrate to express the merits of competing ideas does not mean that individuals may say or do whatever they wish, wherever they wish. The University prohibits expression that violates the law, falsely defames a specific individual, constitutes a genuine threat, violates the [University's Non-Discrimination and Non-Harassment Policies](#) or other provisions of the Code of Student Conduct, or unjustifiably invades substantial privacy or confidentiality interests.
2. The assembly or demonstration must not involve a substantial risk of disrupting classes, obstructing access to campus facilities, otherwise interfering with other ongoing University events or activities, or creating a seriously intimidating, threatening, scandalizing, and/or uncivil environment. To this end, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the institution.
3. The property of the University and that of the members of the University community are not to be damaged, destroyed or violated.
4. The assembly or demonstration must not pose a substantial risk to the physical safety of participants, bystanders or other community members.
5. The assembly or demonstration must not place undue burden on the University's finances, facilities or other resources.
6. It is understood that some assemblies and demonstrations may support and defend positions that differ from Catholic Church teaching. The expectation is that they will do so in a responsible fashion, be open to questions and challenges from members of the community, and respectfully acknowledge, and not disparage, Church teaching. If, in the judgment of University officials, an assembly or demonstration presents a serious risk of violating these principles, the university may impose provisions and restrictions.

## C. Planning and Prior Notification Guidelines

In order to maximize the likelihood that the goals of a demonstration or assembly are met and to ensure the safety of all community members, organizers of a demonstration or assembly should adhere to the following guidelines prior to scheduling an event.

1. If the Event is organized by a recognized student group or organization, organizers should meet with the group or organization's advisor to discuss strategies to ensure that the event will adhere to the Values and Conditions sections of this policy.
2. If the Event is not organized by a recognized student group or organization, organizers should meet with the Director for Student Involvement or his/her/their designate to discuss strategies to ensure that the event will adhere to the Values and Conditions sections of this policy.
3. After appropriate discussion, organizers should work in collaboration with appropriate university departments (e.g. The Department of Public Safety, Facilities Management) to coordinate logistics of the event to ensure compliance with the Values and Conditions sections of this policy and to meet the responsibilities outlined in Section D below.

4. Organizers should communicate the parameters that have been set for the Event by the University to all participants prior to the Event and should take reasonable measures to ensure the safety of participants.
5. When demonstrations or assemblies are scheduled, participants should expect University personnel, including members of the Villanova University Department of Public Safety, to be present for all or part of the Event. This presence is often necessary to ensure organizers' own rights are protected and the University's regular operations and activities are not interrupted. Accordingly, University representatives may film, photograph or record elements of the event. The presence of University personnel should not be viewed as an effort to deter or otherwise interfere with planned demonstrations or assemblies.

## D. Responsibilities

All Villanova University students, student groups and student organizations have the right to peaceful assembly and demonstration (including, but not limited to, rallies, gatherings, protests, and processions) on campus. However, all assemblies and demonstrations must adhere to the Values, Conditions and Responsibilities sections of this policy and must not be unduly disruptive to the life of the University or place any community member in danger. Disruptive or unsafe assemblies or demonstrations are strictly prohibited.

### *Responsibility to Ensure Safety and Security*

The responsibility of maintaining peace and order rests primarily with the individual(s) or group(s) who organized the Event. All demonstrators are expected to comply with University policies and students are additionally expected to act in compliance with the provisions of the Code of Student Conduct.

During a demonstration, the expression of viewpoints may invite or elicit a response from others, including counter-demonstrators or passersby. In all circumstances the right of others to personal expression must not be denied. Organizers should be aware that other demonstrations may also occur that may include opposing views. Maintaining peace and order is especially important under these circumstances to support a rich campus environment that is accepting of divergent expression. Accordingly, expression that is indecent, obscene or grossly offensive on matters such as race, age, ethnicity, religion, gender, disability, sexual orientation or other legally protected bases is inconsistent with accepted norms of conduct at the University and will not be tolerated.

In order to avoid any misunderstanding of what is a peaceful assembly or demonstration (permitted) and what is a disruptive or unsafe assembly or demonstration (prohibited), the following non-exhaustive list of characteristics is provided.

An assembly or demonstration is disruptive or unsafe if it includes any activity that:

- Places the health or safety of any member of the University community at risk
- Denies or unreasonably interferes with the rights of other students, faculty, or staff of the University, including the rights of others to demonstrate
- Employs force or violence or threatens force or violence against any persons or property
- Violates any ordinance or law.
- Creates a volume of noise that prevents members of the University community from carrying on their normal activities
- Results in actual or threatened destruction, damage or defacement of personal property
- Results in actual or threatened destruction, damage or defacement of University property, grounds or facilities.
- Congregates or assembles in any University building or on University property in ways that disrupts the University's normal functions
- Occurs in a way that blocks entrances, exits, or passageways from or to any University building or vehicle traffic on or to the campus. Corridors, stairways, doorways, and building entrances may not be blocked or obstructed in violation of the regulations of the University or local fire codes.

- Fails to comply with any other University policy or any other lawful directive, including a directive to cease the Event.

Disruptive or unsafe assemblies or demonstrations will be suspended or stopped immediately at the direction of the Villanova University Department of Public Safety in consultation with The Vice President for Student Life or the University Provost or their designee. The University may also seek the assistance of local law enforcement to disband disruptive, unlawful or unauthorized events.

### *Responsibility to Conclude the Assembly or Demonstration*

The length of any given assembly or demonstration may vary. Demonstrations will usually be permitted to continue until and unless University officials determine that University operations and/or the rights of others have been compromised. This includes staff who may be attempting to close facilities according to the established closing hours of buildings.

At the conclusion of any assembly or demonstration, the organizers are expected to make a reasonable effort to return the grounds/area to the condition it was in before the Event. This includes properly disposing of all garbage. Any unanticipated and accidental property damage should be reported to University administrators immediately. Any property damage related to a demonstration (whether peaceful or disruptive) may result in the assessment of fees for cleaning, repairs, and replacement of property to the organization or individuals involved or both.

## Posting Notice

With respect to informing the University community of various lectures and programs by means of posters or flyers, the following criteria have been established:

1. Posters announcing an approved University or student group sponsored event will be approved provided the criteria set forth in this policy are met.
2. All posters must be sponsored by a recognized University office or student group, whose name will appear on the poster.
3. Posters that speak to issues contrary to the teachings of the Church may be posted, if the poster encourages intellectual discussion and unfettered inquiry of the issues.
4. Poster approval does not imply University endorsement. Posters will be stamped by the office responsible for the student group. Campus Ministry, Office of Fraternity and Sorority Life, Peace & Justice Education, Residence Life and Student Involvement may all stamp posters with their own stamps. Other University departments and offices, as well as non-student group posters will receive approval through the Office of Student Involvement. Approval stamps must include the notation "Approved for Posting - Approval Does Not Imply University Endorsement."
5. Posters will not be approved if any of the following apply:
  1. The message asserts or implies official University approval of any view points expressed.
  2. The message offends community standards of good taste.
  3. The message contains language or symbols which are abusive or demeaning to specific social groups.
  4. The message denies respect for the dignity of individuals.
  5. The message appears libelous.
  6. The message encourages the sale or use of alcohol or promotes establishments selling alcohol.
  7. The message promotes or facilitates any aspect of substance abuse.
  8. The message encourages or seeks to incite specific illegal acts.
  9. The message promotes goods or services sold for personal profit or which are sold by off campus persons or companies who are not sponsored by a University office or recognized student group.
  10. The message promotes non-campus related activities of commercial sponsors. (Posters promoting activities and events of other non-profit institutions and organizations may be approved in limited numbers provided they do not violate the other criteria listed here.

6. In the unusual circumstance of an appeal for permission to post, the student group will appeal to the Poster Policy Committee. The committee will be convened by the Vice President for Student Life for deliberation. A recommendation will be made to the Associate Vice President for Student Life for final adjudication. The committee will consist of the Associate Vice President for Student Life, Director of the Center for Peace and Justice Education, Director of Student Involvement, faculty member named by the American Association of University Professors, the Student Government President, and the editor of the Villanovan.

For additional information, also see the University's Speakers Policy.

## Publications Policy

The goal of all student publications is to give students the opportunity to develop and polish skills in communication, to express opinions, and to inform, enlighten, and amuse the University community. University support of student publications does not restrict freedom of speech, but does imply honesty, responsibility, and sensitivity in writing and editing.

Under University Guidelines for University-Sponsored Publications, all publications must conform to all applicable state and federal law, may not be inconsistent with their setting in a Catholic University, and must include honest, accurate, and fair reporting.

In the rare case of dispute between administration and student editors, the Publications Advisory Board will be convened to review the relevant issues and make a recommendation to the Vice President for Student Life.

A complete copy of this policy, publication guidelines, and procedures for board review is available at the Office of the Vice President for Student Life, and the office of Student Involvement.

## Events and Speakers Policy

### A. Values

Villanova University is a Catholic, Augustinian institution of higher learning that is committed to academic excellence, academic freedom, and intellectual, spiritual, moral, and social growth. Above all, the University seeks to reflect the spirit of St. Augustine by the cultivation of knowledge and the encouragement of freedom of inquiry, by respect for individual differences, and by adherence to the principle that mutual love and respect should animate every aspect of University life.

Respecting the principles and responsibilities of academic freedom, and recognizing the importance of the perceptions of both internal and external communities, the University encourages the open exchange of ideas on a variety of subjects, including those that are controversial. Thus, University recognized student groups or organizations may invite external speakers to an organizational meeting or to a University event, and may host events open to the campus community (on or off campus), that address the full range of intellectual, moral, and social issues. In keeping with the educational mission of the University, the academic character and educational value of all such events is the motive and rationale for their occurrence.

Invitations to speak, or the hosting of events, do not imply University approval or endorsement of the positions taken by invited speakers or of their previous or subsequent views. To the best of its ability, the University will ensure that all legitimately invited speakers will be able to express their views and that open discussion will take place. This policy presumes that those inviting speakers or hosting events will exercise sound judgment in selecting speakers and in establishing the particulars of a given event.

Although this policy assumes that both speakers and audience will exhibit appropriate and respectful demeanor toward each other, it is recognized (a) that speakers or events may often challenge existing

attitudes and beliefs and/or trigger disagreements, and (b) that no policy, no procedures, and no sponsor of a speech or event, can guarantee against the possibility that a speech may offend listeners, that a speaker may unexpectedly deviate from anticipated content and style, or that members of an audience might engage in inappropriate behavior.

The following standards and procedures govern external speakers and events being proposed by recognized student groups or organizations:

## B. Conditions

The following conditions must be met for an external speaker or event to be considered for approval:

1. The speech or event must constitute a legitimate educational experience or otherwise contribute to the university's mission.
2. The speech or event must not pose a substantial risk to the physical safety of speakers or members of the audience, other participants, or bystanders.
3. The speech or event must not involve a substantial risk of disrupting classes, obstructing access to campus facilities, otherwise interfering with other ongoing University events or activities, or creating a seriously intimidating, threatening, scandalizing, and/or uncivil environment at the speech or event that would undermine its educational purposes.
4. The speech or event must not violate the law or the nonprofit status of the University. (Note that federal and state laws may prohibit, condition, or limit speeches by political candidates; accordingly, consultation with the General Counsel's office for guidance should occur in these situations).
5. It is understood that some speakers will hold, offer, and defend positions that differ from Catholic Church teaching. The expectation is that they will do so in an academically responsible fashion, be open to questions and challenges from members of the audience, and respectfully acknowledge, and not disparage, Church teaching. If, in the judgment of University officials, a speech or event presents a serious risk of violating these principles, the group seeking permission for such an event must accept provisions to ensure adherence to standards of freely reasoned academic discussion and debate. Such provisions might include, for example, allowing for an appropriate response at the speech or event or contextualizing the event or speech by means of complementary counter-programming.
6. The speech or event must not place undue burden on the University's finances, facilities or other resources.

## C. Procedures

1. A recognized student group or organization wishing to invite an external speaker to an organizational meeting or to a University event, or to an event open to the campus community (on or off campus) must first present a written proposal to its advisor[i]. Prior to submitting the proposal, student groups or organizations must consult with their advisor to ensure that the speech or event adheres to the Values and Conditions sections of this policy.
2. The proposal should include the identity of the speaker, the proposed time and place of the speaker's presentation, the subject matter and purpose of the speaker's presentation and what, if any stipend will be required. The proposal should also include information outlining how the speech or event is consistent with the Values and Conditions sections of this policy.
3. The leaders of the student group or organization together with their advisor will present the written proposal for review to the Director, Department Head or Division Head of the area recognizing the student group or organization. Promotion of the event in written, print, electronic or other form shall not take place until the speech or event and all contracts receive final approval.
4. In reviewing the request, the Director, Department Head or Division Head must ensure that the speech or event is consistent with the Values and Conditions sections outlined in this policy. In reaching this determination, the Director, Department Head or Division Head may consult with appropriate members of the University community and may meet with the advisor and/or leaders of the student group or organization.

5. The Director, Department Head or Division Head may: 1) approve the request; 2) deny the request if inconsistent with any of the provisions outlined in the Values and Conditions sections of this policy; or 3) may impose restrictions or conditions to ensure consistency with the provisions of the Values and Conditions sections of this policy. If the request is denied, the Director, Department Head or Division Head will share the reasons for denial with the advisor and the leaders of the student group or organization.
6. If the proposal is denied, the student group or organization may request that the proposal be reviewed by the Provost, Vice-President or Dean overseeing the area recognizing the student organization or group. The Provost, Vice- President or Dean shall meet with the leaders of the student group or organization and their advisor before rendering a decision.
7. The Provost, Vice-President or Dean, after appropriate consultation with other University officials, shall make the final determination. In exercising this authority, the Provost, Vice-President or Dean shall give due consideration to the information contained in the written proposal, the thoughts expressed during the meeting with the student leaders and the provisions of the Values and Conditions sections of this policy. If the request is denied, the Provost, Vice-President or Dean will share the reasons for denial with the advisor and the leaders of the student group or organization.
8. If there is a contract or fees for any speaker, the advisor or the Director, Department Head or Division Head will submit the contract to the Office of the Vice President and General Counsel for approval. If approved, the contract must be signed by an authorized University official. The sponsoring student group or organization is responsible for payment of all costs associated with a speaker or event, including any costs related to safety and security.
9. The University reserves the right to withdraw any speaker invitation, or to cancel any event, at any time for any reason, but it will not do so for reasons judged to be less than fundamental to the University's values and well-being. If the student group or organization has not followed the procedure outlined in this policy, no formal reason needs to be given for the withdrawal or cancellation. If the student group or organization has followed the procedures outlined in this policy, the Provost, Vice-President or Dean will meet with the student leaders of the group or organization before withdrawing the invitation. However, the final decision rests with the Provost, Vice-President or Dean.

[i] Invitations to bishops or other ecclesiastical authorities are excluded from this policy. Such invitations must only be issued by the Office of the President or the Office for Mission and Ministry.

## Student Organizations

Information concerning policies and regulations, formation of a student organization, publicity, fundraising, funding, room-reservations, facility use, etc, can be found in the Student Organizations Manual. All members of student groups /organizations must adhere to the policies and regulations detailed in the manual. Failure to do so subjects the group or organization to a maximum sanction of termination of recognition from the University. Copies of the Student Organizations Manual are available in the Office of Student Involvement, Dougherty Hall, Room 102.

Recognition will be denied to any organization which selects its members on the basis of race, color, religion, sex, age or national origin. Active membership is limited to faculty, staff and officially registered students. Associate membership must be approved by the Director of Student Involvement. In order to be recognized as a registered organization and to use the name of Villanova University in its official title, a group should:

1. Have at least 12 students who are matriculated and in good standing both academically and disciplinarily with the University,
2. Function in accordance with a constitution and by-laws approved by and on file in the Office of Student Involvement.

3. Comply with all University policies and regulations; with federal state and local laws; and with regulations of parent organizations as applicable.
4. Accept responsibility for all financial obligations incurred and decisions made as an organization.
5. Have an active faculty/staff advisor appointed for a two-year term approved by the Office of Student Involvement.

All organizations seeking recognized status on campus must undergo a formal recognition process that is delineated in the Student Organization Manual. In order to maintain official University recognition, organizations are expected to comply with guidelines in the Student Organization Manual.

These regulations apply to all recognized student organizations. Violations of these regulations may be referred to the Dean of Students Office for resolution pursuant to the Code of Student Conduct.

A complete list of student organizations is maintained in the Office of Student Involvement. Students are expected to review the list prior to joining a student organization to ensure that the group is in good disciplinary standing.

Fraternities and Sororities must be formally acknowledged by their respective national organization, Villanova University and the Interfraternity Council/Pan-Hellenic Society as a legitimately functioning body in order to be considered a recognized student organization. Non-recognized fraternities/sororities may not organize or sponsor any event or activity that promotes or gives the impression or appearance that the non-recognized fraternity/sorority is a legitimate organization. Moreover, these non-recognized groups may not advertise, post, publish, solicit, rush, pledge, fund raise or assembly on campus. Such activities will be viewed as violations of University regulations and those students engaging in this activity will be held accountable. Students intending to join a Greek fraternity or sorority should contact the Office of Fraternity and Sorority Life to ensure that this fraternity/sorority is in good disciplinary standing. Fraternities and Sororities must provide the University with a certificate of insurance evidencing the liability coverage their national organization has in place covering the chapter, naming Villanova University as additional insured.

## Student Records Policies

### Student Records Policy

For the most current Disclosure of Student Records policy, visit the Villanova Policy Library at <https://villanova.policytech.com/docview/?docid=144&public=true>

Villanova University, in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, has adopted this Student Records Policy to address the following issues with respect to education records: (1) disclosure of directory information; (2) confidentiality of personally identifiable information; and (3) student rights to inspect, review and seek amendment of their records. In general, education records are defined as records maintained in any form by the University that are directly related to a student.

#### I. Disclosure of Directory Information

Information concerning the following items about individual students is designated by the University as directory information and may be released or published without the student's consent: full name; student identification number; address (local, home or electronic mail); telephone number; photograph or video; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; degrees, honors and awards received (including Dean's List); most recent previous educational institution attended; participation in officially



recognized University activities and athletics; and weight and height of members of athletic teams. Students who do not wish directory information to be released or made public must inform in writing the Office of the Registrar.

## II. Confidentiality of Personally Identifiable Information

All personally identifiable information contained in student records other than directory information is considered confidential information. This information includes, but is not necessarily limited to: academic evaluations; general counseling and advising records; disciplinary records; financial aid records; letters of recommendation; medical or health records; clinical counseling and psychiatric records; transcripts, test scores, and other academic records; and cooperative work records. "Personally identifiable information" means that the information includes: (a) the name of the student; (b) the address of the student; (c) a personal identifier such as social security number; or (d) a list of personal characteristics or other information that would make the student's identity easily traceable.

The University will generally not disclose personally identifiable information to third parties without the written consent of the student. The signed and dated consent should specify the records to be disclosed, the purpose of the disclosure, and to whom the records are to be disclosed. However, personally identifiable information may be disclosed, without the student's consent, to the following individuals or institutions, in accordance with FERPA, including in the following circumstances:

1. To University officials (or office personnel ancillary to the officials) who require access for legitimate educational purposes such as academic, disciplinary, health or safety matters. University officials may include, without limitation, the Board of Trustees, the President, Vice Presidents, Deans, Directors, Department Chairs, Faculty Members, ROTC Commanding Officers, attorneys in the Office of the Vice President and General Counsel, Judicial Officers, Counselors, Resident Advisers, Coaches and Admissions Officers. University officials also include contractors, consultants, volunteers and other outside parties, such as an attorney or auditor providing services on behalf of the University for which the University would otherwise use employees.
2. To the party(ies) who provided or created the record(s) containing the personally identifiable information.
3. To officials of other educational institutions to which the student seeks or intends to enroll or where the student is already enrolled, for purposes related to the student's enrollment or transfer (on condition that the student upon request is entitled to a copy of such records).
4. To appropriate federal, state or local officials or authorities, consistent with federal regulations.
5. To the U.S. Attorney General (or designee) pursuant to an ex parte order under the U.S. Patriot Act in connection with certain investigations or prosecutions.
6. To organizations conducting studies for, or on behalf of, educational agencies or institutions.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student as defined in Section 152 of the Internal Revenue Code of 1986.
9. To parents of a student under the age of 21, where the information pertains to violations of any federal, state or local law or of any University rule or policy governing the use or possession of alcohol or a controlled substance, and the student has committed a disciplinary violation.
10. In connection with the student's application for, or receipt of financial aid.
11. To comply with a judicial order or lawfully issued subpoena (on condition that a reasonable effort is made to notify the student of the order or subpoena, if legally permitted to do so).
12. In case of an emergency, to appropriate parties, including parents, to protect the health or safety of the student or other individuals, where the University determines that there is an articulable and significant threat to the student or other individuals.
13. The disclosure of information concerning registered sex offenders provided under state sex offender registration and campus community notification programs.
14. The outcome of a disciplinary proceeding to a victim of or alleged perpetrator of a crime of violence or non-forcible sex offense.
15. The outcome of a disciplinary proceeding where a student is an alleged perpetrator of a crime of violence or non-forcible sex offense and is determined to have violated the University's rules or policies.

If required under FERPA, the University will inform a party to whom a disclosure of personally identifiable information is made that it is made only on the condition that such party will not disclose the information to any other party without the prior written consent of the student.

### III. Non-Education Records

The following are not considered education records, and thus are not protected by FERPA and this policy:

- Employment records of students as University employees.
- Campus law enforcement records created and maintained by the Public Safety Office, in accordance with the requirements of FERPA.
- Records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in his or her paraprofessional capacity, and that are made, maintained, or used only in connection with treatment of the student and are disclosed only to individuals providing the treatment. These records may be reviewed, however, by a physician or other appropriate professional of the student's choice.
- Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons, that are in the sole possession of the maker of the record and are not accessible or revealed to any other individual except a temporary substitute for the maker.
- Records that only contain information about a person after that person was no longer a student at the University and that are not directly related to the individual's attendance as a student (e.g., information collected by the University pertaining to accomplishments of its alumni).
- Grades on peer-graded papers before they are collected and recorded by a faculty member.

### IV. Inspection and Review Rights; Right to a Hearing

A currently or previously enrolled student has the right to inspect and review his or her educational records. This right does not extend to applicants, those denied admission, or those admitted who do not enroll.

Offices may require that requests for access be submitted in writing, and may ask for, but not require, the reason for the request. The University will comply with requests to inspect and review a student's records that it has determined to honor within a reasonable period of time, but in no case more than forty-five days after the request was made.

Records to which students are not entitled to access include:

- Confidential letters and statements of recommendation placed in a student's record before January 1, 1975, or confidential letters and statements of recommendation to which students have waived their rights of access\*.
- Financial records of the parents of the student or any information contained in those records.
- Those portions of a student's records that contain information on other students.
- Those records listed in Section III above.

A student who believes that any information contained in his or her educational records is inaccurate or misleading, or otherwise in violation of his or her privacy rights, may request that the University amend the records. The student should first discuss his or her concerns with the individual responsible for the office where the records are maintained. If the student is not satisfied with the resolution, the student should contact the individual to whom that person reports. If still not satisfied, the student may contact the appropriate vice president or designee. The final level of appeal is a formal hearing. To obtain a hearing, the student should file a written request with the Vice President for Student Life. The hearing will be conducted in accordance with the requirements of FERPA.

The substantive judgment of a faculty member about a student's work (grades or other evaluations of work assigned) is not within the scope of a FERPA hearing. A student may challenge the factual and objective elements of the content of student records, but not the qualitative and subjective elements of grading.

If as a result of a hearing the University determines that a student's challenge is without merit, the student will have the right, and will be so informed, to place in his or her records a statement setting forth any reasons for disagreeing with the University's decision.

Students have a right to file complaints concerning alleged failures by the University to comply with the requirements of FERPA and the implementing regulations. Complaints should be addressed to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington DC 20202-5901. Students are encouraged to bring any complaints regarding the implementation of this policy to the attention of the Vice President and General Counsel.

\* Students may be invited but not required to waive their right of access to confidential letters of recommendation for admission, honors or awards, or employment. Failure to execute a waiver will not affect a student's admission, receipt of financial aid, or other University services. If a student signs a waiver, they may request a list of all persons making confidential recommendations.

## Student Conduct and Concern Records Retention and Disclosure

### **1. Retention of student conduct and concern records**

As a general rule, student conduct and concern records are retained by the University until the end of the academic year that is seven years after the date of the incident, or for the period of time in which a corresponding sanction is disclosable, whichever is longer. The University reserves the right to retain student conduct and concern records for a longer period of time when the University deems necessary or appropriate. For cases resulting in a student's disciplinary separation from the University (i.e. expulsion), the records are kept indefinitely. The University may also keep records of student conduct matters that remain unresolved or pending at the time a student left or withdrew from (or otherwise ceases enrollment with) the University.

### **2. Disclosure of student conduct and concern records**

Disclosure of student conduct and concern records to external third-parties will only be in accordance with applicable laws and regulations and the Student Records Policy (which is included in the Student Handbook). Student conduct and concern records are considered separate from all other University records and are not included on an academic transcript, except in cases where the awarding of a completed degree is withheld or revoked. Disclosure of specific disciplinary action or referral and the corresponding violation(s) will follow the below guidelines, subject to the additional disclosures discussed below:

1. Non-Reportable Disciplinary Sanctions (Conduct Notice, Conduct Warning, and Probationary Warning), Housing Sanctions, referrals for educational follow-up, cases where no sanction was imposed and the corresponding violation(s) are not disclosed, except when required by law.
2. Sanctions of Disciplinary Probation and the corresponding violation(s) will be disclosed for one (1) year after completion of the sanction. Students may petition the Dean of Students Office to terminate third-party disclosure at graduation in cases where the one-year disclosure period extends beyond the anticipated graduation date. This option is only available for sanctions of Disciplinary Probation and will only be considered within 90 days of the anticipated graduation date.

3. Sanctions of Disciplinary Probation with Loss of Privilege and the corresponding violation(s) will be disclosed for two (2) years after completion of the sanction
4. Sanctions of Suspension and the corresponding violation(s) will be disclosed for five (5) years after completion of the sanction.
5. Sanctions of Expulsion and the corresponding violation(s) will be disclosed indefinitely.
6. Additional disciplinary measures are not disclosed, except when required by law. However, the withholding or revocation of a degree pursuant to this Code shall be noted on a student's academic transcript until such time as the degree is awarded.

While the University only discloses sanctions and violations in accordance with these guidelines, students are encouraged to be forthright with a prospective employer, educational institution, or licensing authority regarding the student's conduct while enrolled at the University.

Notwithstanding the disclosure guidelines above, consistent with applicable laws and regulations:

- The University reserves the right to notify parent(s) or legal guardian(s) about (1) the disciplinary status of their student or (2) a health or safety concern related to their student.
- The University may also indefinitely report matters involving allegations of violations of the Code of Student Conduct that are unresolved or pending at the time a student left or withdrew from (or otherwise ceases enrollment with) the University.
- Student conduct and/or concern records may be shared internally with University personnel having a legitimate educational interest, including but not limited to, the Health Professions Advising Office to be used in the preparation of the Health Professions Advisor Evaluation, and disclosures required pursuant to Title IX.
- For cases involving: (1) a serious or continuing threat, an alleged crime of violence, or sexual offenses, certain information may be disclosed to the community and/or law enforcement and to the complainant, or (2) a Title IX disciplinary process, information regarding the findings and sanctions will be disclosed to both complainant(s) and respondent(s).

## Health Records

Villanova University requires that students maintain an official health record at the Health Center. Students who fail to submit a completed health record will have a registration hold placed on their student accounts. Health records are subject to Pennsylvania state law (specifically 35 P.S. Section 10101) which states that any minor who is eighteen years of age or older, or has graduated from high school, or has married, or has been pregnant, may give effective consent to medical, dental and health services for themselves, and the consent of no other person shall be necessary.

Information contained in this record will only be released to the student or an attending physician if consent to release the information to another person is provided by the student or otherwise as required by law.

## Additional University Policies

### Compliance with University Policy

Students enrolled at Villanova University must comply with the regulations promulgated in the Villanova University Student Handbook, the [Villanova Policy Library](#), and other official documents, policies or regulations published by the University as a condition for successful completion of the program of studies at the University.

## Assessment of Administrative Fines

A variety of offices may assess fines as part of regular management practice. These include but are not limited to parking fines, damage assessments in residence halls, book return penalties in the library, and service charges for returned checks in the bookstore. Assessment of these types are governed by departmental or University policy, and are outside the purview of the Code of Student Conduct. Questions concerning the assessment of such fines should be addressed directly to the department of origin.

## Background Checks

Students seeking to engage in certain activities involving minors or activities involving export controlled items may be required to complete and submit certain background checks. The applicable policies may be found at:

Minors in Villanova University Programs Policy <https://villanova.policytech.com/dotNet/documents/?docid=118&public=true>

Background Check Policy <https://villanova.policytech.com/docview/?docid=1229&public=true>

## Child Abuse Reporting Policy

Any student of Villanova University who has responsibility for a child as an integral part of a program, activity or service sponsored by the University or comes into direct contact with a child as part of their employment with Villanova, and has reason to believe that the child has been subjected to child abuse, must report the information to the Pennsylvania Department of Human Services (“DHS”) toll-free ChildLine at (800) 932-0313. A child is any individual under age 18. Proof that abuse or neglect occurred is not required, and any uncertainty to report suspected abuse or neglect should be resolved in favor of making a report. Within 48 hours of the oral report, the student must follow up with a written report to DHS or the county agency assigned to the case and provide a copy of the report submitted to DHS to the University’s Public Safety Director and Chief of Police (610-519-6982; david.tedjeske@villanova.edu) or, in his absence, the Executive Vice President (610-519-4532; ken.valosky@villanova.edu). For additional information regarding what is meant by “child abuse” and the obligation to report child abuse, see the University’s Child Abuse Reporting Policy (the “Policy”) available on the University website at <https://villanova.policytech.com/dotNet/documents/?docid=119&public=true> or contact the University’s Public Safety Director and Chief of Police (610-519-6982; david.tedjeske@villanova.edu).

## Compliance with Health and Safety Directives

As it is every member’s responsibility to contribute to the creation of a healthy and safe community, students are required to comply with University health and safety directives, guidelines, rules, regulations and protocols in times of emergency and/or public health concern, both on and off the campus. Violations may be referred for action under the [Code of Student Conduct](#). Non-compliance with University mandated regulations may also result in other administrative action including but not limited to revocation of class registration, loss of campus residency, and/or a hold on records.

In cases where, in the University’s sole discretion, there may be an immediate health and safety concern, students and student organizations may be subject to interim administrative measures, including but not limited to, removal from campus, interim suspension, or other restrictions until such time the University can collect more information and determine an appropriate course of action.

## Dining Services

**Meal plans are required of all students living in traditional residence halls. First and Second year students residing on campus are required to purchase a meal plan. Meals eaten in residence dining halls are offered on an unlimited basis, therefore meal privileges are not transferable. Residence dining halls (Donahue, Dougherty, and St. Mary's) are considered "All You Care to Eat" if you choose the dine in option. A take out option is available as well, but there are limits on food taken out of these facilities.**

**Please refer to the Dining Services website for more details on this option:**

**<https://www1.villanova.edu/content/villanova/services/dining.html>**

**Failure to abide by dining regulations, including, but not limited to, disruptive or disrespectful behavior, transferring meal cards, removal of service ware, and abusing the limits of take out options will result in a range of sanctions involving suspension of dining privileges up to and including suspension from the University.**

**A Registered Dietitian is available to students to discuss nutritional needs, food allergies, and other special dietary requirements. Vegetarian, Vegan, Gluten Free, and Fair Trade options are available in all dining locations. Stop by the Meal Plan Office in Dougherty Hall Room 106 or call 610-519-4170 with any questions.**

## Drug Free Schools

The Policy on Drug Free Schools and Drug Free Workplace is the University's response to federal legislation, the Drug-Free Schools and Communities Act Amendments of 1989. It is distributed at least annually to all students, faculty and staff in an effort to educate our community about the continuing commitment to achieve a drug-free environment and to provide effective resources for our community.

For further information or for additional copies of the policy, see <http://www1.villanova.edu/villanova/president/higheredact.htm/> or contact the Department of Human Resources or the Dean of Students office.

## Equal Opportunity Policy

Villanova University is an Equal Opportunity Employer and encourages the recruitment of qualified candidates for student and employment positions. As a federal contractor, Villanova University has an Affirmative Action Plan which is overseen by the University's Affirmative Action Officer in the Department of Human Resources. The University encourages members of all diverse groups to seek employment with the University through the Human Resources Department.

Inquiries concerning equal opportunity policies may be referred to Mr. Raymond Duffy, the University Affirmative Action Officer and Associate Vice President for Human Resources who also serves as the University's Compliance Coordinator for Section 504 of the Rehabilitation Act, c/o Office of Human Resources, (610) 519-5135, [raymond.duffy@villanova.edu](mailto:raymond.duffy@villanova.edu).

See also [Non-Discrimination Policy](#) in the Student Handbook.

## EthicsPoint Hotline

The University has established a Hotline administered by EthicsPoint, a third-party provider, available 24/7 to report concerns on an anonymous basis. The Hotline allows a student or employee to report any instance of misconduct in the academic or workplace setting, such as fraud, mismanagement of funds or other violations of law or University policy, including the Code of Student Conduct. The Hotline also

provides students or employees anonymous reporting options for complaints involving the violation of the University's [Sexual Misconduct Policy](#). The Hotline may be accessed at: <https://secure.ethicspoint.com/domain/media/en/gui/35905/index.html>

## Illegal, Dishonest, or Fraudulent Conduct

Villanova University is committed to upholding the highest standards of honest behavior, ethical conduct and fiduciary responsibility with respect to University funds, resources and property. The University also expects members of the University community to comply with all state, local and federal statutes, rules and regulations when conducting University business. To that end, the University prohibits and does not tolerate illegal, dishonest or fraudulent conduct of any nature. All members of the University community are expected to uphold this policy.

Violation of this Policy by students will result in appropriate disciplinary action, up to and including expulsion.

A complete copy of the Policy Prohibiting Illegal Dishonest or Fraudulent Conduct can be found at: <https://www1.villanova.edu/villanova/hr/policies/university/illegalconduct.html>.

## Complaint Procedure, Investigation and Corrective Action

The University encourages any person who believes that an incident of illegal, dishonest or fraudulent conduct has been committed to report the incident immediately in accordance with the Complaint Procedure outlined in the Policy.

The University has also established a Hotline for reporting concerns on an anonymous basis at any time. The Hotline is provided through EthicsPoint, a third-party provider, and can be accessed at: <https://secure.ethicspoint.com/domain/media/en/gui/35905/index.html>

## Retaliation Prohibited

The University prohibits and does not tolerate retaliation against any individual who files a complaint of illegal, dishonest or fraudulent conduct; is involved as a witness or participant in the complaint or investigation process; or refuses to engage in illegal, dishonest or fraudulent conduct.

## Intellectual Property

In the interest of advancing the scholarly activity of our community, promoting academic integrity, and supporting both individual and institutional interests, the University has established intellectual property policies which govern the recognition, disclosure, ownership, publication, and distribution of discoveries made in the normal course of activities at the University. Students, staff, and faculty are both protected and bound by these policies. The applicable policies on intellectual property may be found at:

### Intellectual Property Policy

<https://villanova.policytech.com/docview/?docid=50&public=true>

### Patent Policy

### Copyright & Coursepacks

<https://www1.villanova.edu/content/dam/villanova/provost/Faculty-Handbook-Final-Version.pdf>

Students must comply with all laws and University policy applicable to intellectual property. Intellectual property includes copyrights, patents and trademarks, which are further described in the policies at the link above, the links below and the following section titled "Use of Name and Trademark".

## Life Threatening Emergencies and Serious Psychological Concerns

Villanova is a caring community where the well-being of each member is sensitively supported, and where the creation of a safe and peaceful environment is essential to fulfilling the mission and values of the University. The University strives to balance the concerns for the health and safety of the individual student with those of the larger campus community. In situations in which the University considers a student's behavior to pose a threat to themselves or others, or judges that a student is unable to cope with life or college-related issues, or when a student causes disruption within the University's community environment (as determined in the judgment of the University) that is not addressed in the Code of Student Conduct, the University has an obligation to intervene and a compelling interest to help a student resolve those issues.

In such cases, the Dean of Students or their designee will consult with appropriate members of the University community to determine which course or courses of action to pursue. The Dean of Students may meet with the student, and may require that the student receive an evaluation by the University Counseling Center as well as require the student to authorize the University Counseling Center to share the results and recommendations of their evaluation with the Dean of Students. If a student refuses to participate in the evaluation or to authorize the release of the evaluation results, the Dean of Students may restrict the student's access to educational programs and activities, University services, and entry to the campus.

The Dean of Students will use the Counseling Center's evaluation and recommendation, along with other relevant factors, to determine if a student (1) may remain in attendance without conditions or restrictions or (2) may require a reasonable accommodation or accommodations in order to continue in attendance, or (3) may not continue in attendance or participate in educational programs and activities, use University services, or continue to reside on campus. The Dean of Students may meet with the student and, if needed in his or her judgment the student's parent(s)/legal guardian(s), to discuss any accommodations, conditions or restrictions necessary in order for the student to remain enrolled at the University. Failure to comply with these conditions/restrictions may result in the student being asked or required to leave the University.

In cases the Dean of Students determines are severe, the Dean of Students may separate the student from the University through an Involuntary Leave of Absence. In this event, a hearing will be held between the Dean of Students and the student, and the student's parent(s)/legal guardian(s) may attend. If a student is separated from the University with an Involuntary Leave of Absence, the student will be required to undergo a thorough, off-campus, psychological assessment/evaluation at the student's expense. The student will not be considered for readmission to the University unless and until a report of the assessment/evaluation (which supports readmission) is provided to the Dean of Students. The Dean of Students may require a written acknowledgement from the student's parent(s) or legal guardian(s), confirming that the student is approved by the parent(s) or legal guardian(s) to return to the campus. The Dean of Students will consult with appropriate University officials in determining if the student should be reinstated.

This policy is not intended to be punitive. Rather, it is intended to confirm that every reasonable effort is made to ensure that each student is physically and emotionally healthy enough to benefit from their attendance at the University and to be a contributing member of the University community.

## Non-Discrimination Policy

Villanova University is an equal opportunity employer and educational institution. There shall be no discrimination against any employee, applicant for employment or any student on any basis prohibited



by law, including race, color, national origin, ancestry, religion, sex, age, sexual orientation, gender identity, veteran status, or disability. This non-discrimination policy applies to all educational policies and programs and to all terms and conditions of employment, including student employment, which include (but are not limited to): recruitment, hiring, training, compensation, benefits, promotions, disciplinary actions and termination. All qualified students are accorded fair and equal opportunity to enter and continue in University employment on the basis of eligibility and qualifications.

The full text of the policy can be found at: <https://villanova.policytech.com/docview/?docid=1407&public=true>

Any violations of this policy or questions about its application should be reported to Mr. Raymond Duffy, the University Affirmative Action Officer and Associate Vice President for Human Resources who also serves as the University's Compliance Coordinator for Section 504 of the Rehabilitation Act, c/o Office of Human Resources, (610) 519-5135, raymond.duffy@villanova.edu.

## Non-Harassment Policy

It is the University's policy that all employees and students should be able to enjoy and work in an educational environment free from harassment of any nature. Harassment based on personal characteristics such as race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, age, veteran status or disability violates this policy. "Harassment" is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, and that has the purpose or effect of creating an intimidating, hostile or offensive employment or educational environment; or has the purpose or effect of unreasonably interfering with an individual's employment or academic performance.

Any questions regarding this policy should be directed to the Dean of Students Office or the Affirmative Action Officer, Department of Human Resources.

The full text of the policy can be found at:  
[https://www1.villanova.edu/villanova/hr/policies/university/discrimination\\_harassment.html](https://www1.villanova.edu/villanova/hr/policies/university/discrimination_harassment.html).

Retaliation against someone for bringing a concern forward or cooperating in the investigation of a complaint is a violation of this policy.

## Non-Payment of Amounts Due

In the event that in the University's judgment a student has failed to pay tuition, room and board, fees, fines or other amounts or charges due to the University by the date due, the University may, in its discretion, refuse to permit registration for classes or for space in the residence halls and the University may withhold transcripts and the award of the University's degree and diploma.

## Non-Solicitation Policy

To avoid disruption of business operations or disturbance of faculty, staff, visitors, and students, the University has implemented a Non-Solicitation Policy prohibiting Solicitation or Commercial Solicitation, except under limited circumstances with prior written approval from the appropriate University official. Solicitation shall include canvassing, soliciting or seeking to obtain membership in or support for any organization, requesting contributions, and posting or distributing handbills, pamphlets, petitions, and the like of any kind on University property or using University resources (including without limitation bulletin boards, computers, mail, e-mail and telecommunication systems, domain names, photocopiers, telephone lists and databases). Commercial Solicitation means peddling or otherwise selling, purchasing or offering goods and services for sale or purchase, distributing advertising materials, circulars or product samples, or engaging in any other conduct relating to any outside business interests or for profit or personal economic benefit on University property or using University resources. Solicitation and Commercial Solicitation performed through verbal, written, or electronic means are covered by the

Non-Solicitation Policy. Items to be distributed or offered for sale, which contain University trademarks, names (including building names) or design elements (T-shirts, posters, etc.), must be approved by the Office of University Communication and Marketing.

Any Solicitation or Commercial Solicitation undertaken by a student, registered student club, or student organization, whether it be charitable, academic-related or for other purposes, must be approved by the Office of Student Involvement, conducted in compliance with the Student Handbook and procedures established by the Office of Student Life, and comply with all applicable laws and University policies, including, without limitation, laws related to copyright, trademark and other intellectual property, games of chance, safety and product liability. Solicitation by vendors, students or student organizations that relate to the promotion or consumption of alcoholic beverages or tobacco, or products that are contrary to the policies or mission of the University, are prohibited. Individual students or groups of students may not engage in solicitation for personal profit. Residence Halls are restricted areas and generally are not to be used for solicitation unless pre-approved by the Office of Residence Life.

Solicitation for Campus Ministry service activities must be pre-approved by the Office of Campus Ministry.

Solicitation for the Center for Peace and Justice activities must be pre-approved by the Center for Peace and Justice.

Any Solicitation or Commercial Solicitation undertaken by a student or student organization at a University athletic event or facility must be approved by the Athletic Department, and must be conducted in compliance with the Solicitation at Athletic Events policy established by that department.

Student violators of the Non-Solicitation Policy and/or procedures are subject to disciplinary action under the Code of Student Conduct.

Inquiries regarding the Non-Solicitation Policy should be directed to the Office of Student Involvement.

The University recognizes the value of charitable organizations and encourages students to be active participants in organizations that support or contribute to the mission of the University. With the exception of University authorized charitable giving campaigns such as the United Way, any charitable organization that wishes to solicit funds for a charitable donation must be sponsored by a recognized student organization, and obtain the approval of the Office of Auxiliary Services. The organization will be provided with a stamp or certification of approval. In addition, any Solicitation or Commercial Solicitation by a charitable organization at a University athletic event or facility requires the prior approval of the Athletic Department, and must be conducted in compliance with the Solicitation at Athletic Events policy established by that department.

## Non-Stereotypical Communications

All written and oral communication of administrators, faculty, staff, and students are to be consistent with the belief that all persons are sacred. Language used should respect the dignity and inherent worth of every individual regardless of age, ethnic or racial identification, gender, mental or physical ability, religious persuasion, sexual orientation, and social class. To be encouraged is a language which does not perpetuate stereotypes or unfairly characterize any individual on the basis of group identification.

## Parking Policies

All students must comply with all [Parking Regulations](#). All students must contact the Parking Office at 610-519-6989 on behalf of themselves with questions during office hours or email [parking@villanova.edu](mailto:parking@villanova.edu)

## Parking Registration

All permit registration must be completed on the [Parking Portal](#). The Parking Department utilizes License Plate Recognition (LPR) Technology in all lots for permit validation and enforcement. License plate information must be entered accurately, and the vehicle must be parked with the license plate facing the drive lane.

The permit charge is a processing fee and is not reflective of usage. The charge is billed to the student account through the Bursar. Returns must be made within 7 days of purchase or when ordered ahead of the semester by the end of the first week of the semester. Any return credit is issued to the student account through the Bursar.

The I-1 Garage gate system utilizes a permit decal which must be permanently affixed to the vehicle. After ordering, I-1 Commuter Permits will be available for pickup inside the Ithan garage. I-1 Resident Permits will be placed into your Villanova University Mailbox prior to the first class day of the Fall Semester. Registration details including sales dates and pickup instructions will be updated on the [Student Parking Registration](#) page.

Parking is limited, and availability is based on peak operating hours including allotting space for visitors. **Ineligible resident students should not bring their vehicles to campus.** Eligible students are not allowed to park without a permit. Students cannot use the visitor pay as you go system in the I-1 Garage as a substitute to getting a permit or in addition to a permit for another lot.

## Resident Students

It is the policy of Villanova University that only junior and senior resident students are eligible to register for a parking permit and park their vehicle in the assigned University parking lot. Using the [Parking Portal](#), students must register their own vehicle, or a vehicle owned by a member of their household. Proof of Ownership is required during registration. Eligible students cannot register the vehicle of an ineligible student. This is considered fraud and a violation. Both the eligible student and the ineligible student violating this policy will receive a fine, lose parking privileges, and be reported to the Dean of Students.

Ineligible students are not to bring their vehicles to campus, use the visitor pay as you go system in the I-1 Garage, or park in the residential areas surrounding Villanova University. This practice causes difficulties for local homeowners and local township police. Students are encouraged to utilize [alternative transportation](#) methods in order to reduce traffic congestion. Exceptions to this policy must be reviewed by the Parking Director. Medical or Internship Exception Applications must be accompanied with documentation confirming the location and schedule. Please review the [Parking Exception Application](#) for details. Important: **DO NOT bring a vehicle to campus prior to learning the outcome of the application.**

Students are responsible for ensuring their guests and visitors observe all University regulations. All students guest visiting campus are required to park and pay in the I-1 Garage during 7am-7pm Monday through Friday. From 7pm to 7am and weekends, the following lots are considered 'open' lots: I-2, L-2, and S-5. Although a pass or permit is not required, all other Parking Regulations must be observed including Fire Zones, blocking dumpsters or traffic ways. Guests are financially responsible for any violation fees, however, students with guests that continue to violate Parking Regulations will be reported to the Dean of Students.

## Commuter Students

All Commuting students are eligible to register for a parking permit. Certain undergraduates will be offered different parking lots based on major course classroom locations. Most commuters will be offered the I-1 Garage; however, availability in all lots is limited, and alternative lots will be offered once the maximum number of permits have been sold for a lot.

Commuter students are offered all day permits which are valid for day, evening, and weekend scheduled classes. Evening students who only take classes starting after 5pm on weekdays, can register for the Evening permit instead. Due to the reduced volume of parking after 5pm on weekdays, this permit is valid for an inner campus lot. The Evening permit is also valid on the weekends.

Commuter student vehicles cannot be left overnight or stored on campus. For University approved trips, please have the department sponsoring the trip contact the Parking Department if extended parking is needed.

Please remember to check the Campus Map before registering on the [Parking Portal](#), and register early while your desired lot is still available.

## Electric Vehicles

All Commuter Electric Vehicles can now use the new ChargePoint Charging Stations with a valid permit for the I-1 or S-4 Garage. You will need a ChargePoint account to pay for usage. ChargePoint usage and details are on the [Electric Charging Vehicles](#) page.

All Resident Electric Vehicles can now use the new ChargePoint Charging Stations in the I-1 or S-4 Garage. Please contact the Parking Office prior to ordering a permit.

## Motorcycles and Motorbikes

Only those students eligible to purchase a parking permit for a vehicle may register a motorcycle instead. The motorcycle will be registered for their assigned permitted lot. Parking a motorcycle in another lot is permissible, so long as, it is not using a parking space and is not in violation, such as a Fire Zone, blocking a dumpster or sidewalks. No motorcycle or motorbike may be parked inside a building. Violations will result in towing at the owner's expense, in addition to a fine. Miniature electric or gas-powered motorcycles are not permitted on the campus. Please contact the Parking Office for additional information.

## ADA Parking

All Villanova Parking Lots provide ADA spaces for individuals with ADA documentation. Valid State issued placards or plates must be displayed to park in ADA spaces. Additionally, the mobility shuttle is available for students with disabilities or injuries that prevent them from using the On-Campus Shuttle. Please contact the Parking Office to discuss using these services or for necessary accommodations.

## Citations and Appeals

Villanova University Parking Lots are private. Use of the Parking Lots, permitted or not permitted, subjects you to the [Parking Regulations](#) and the enforcement of those regulations. Enforcement can include any of the following: citations, escalations fees, damages, immobilization, towing, revoking parking privileges, and/or reported to the Dean of Students. Please review the [Violations and Penalties](#) page for more details.

Students are responsible for any violation fees incurred including damages resulting from vehicle operations. Payments and Appeals can be made through the [Parking Portal](#) within 10 business days of the citation issue date. The Appeals Committee is a volunteer group and more details about the process is available on the [Parking Appeals](#) page. All appeals must be submitted through the [Parking Portal](#). Once a decision has been made, students will be emailed, and all decisions are final. Citations unpaid and not appealed through the parking portal will transfer to the student account through the Bursar. Use the Bursar [Payment Methods](#) to avoid holds, service fees, or other escalations.

In addition to fines, the Parking Director can revoke privileges and/or report a student to the Dean of Students for the following, but not limited to: fraudulent registration, excessive number of citations, damages, or confrontation with an enforcement officer or attendant.

## Immobilization (Booting) and Towing

Any motor vehicle operated or parked on campus which is in violation of parking regulations may be immobilized. The owner of the vehicle must report to Public Safety to fill out the Boot Removal Form and make payment arrangements. Vehicles of ineligible students or non-affiliated individuals must be removed from the Villanova campus immediately or by assigned date approved by the Parking Director. Vehicles immobilized pursuant to these regulations will be charged \$100.00 as well as \$15.00 per day for each 24-hour period the booting device is left on the vehicle. Operators of vehicles that have been immobilized should not attempt to move their vehicle, since this may cause damage to the vehicle. Vehicles that have been immobilized may also be removed from campus at the discretion of the Parking Office.

For a towed vehicle, the owner of the vehicle must contact Public Safety. The owner will be provided the tow company information. The owner is responsible for all tow fees. The vehicle is not to return to campus without prior authorization from the Parking Director.

## Shuttle and Transportation Services

For your convenience the Department of Public Safety offers several free shuttle services. The On-Campus Shuttle stops are designated by signage at various locations throughout campus. After the On-Campus Shuttle stops running, the Nova Van On Demand service is offered for late night safety transports. The Off-Campus Shuttles are available for resident students to access local shops, restaurants, and entertainment locations as well as for commuting students to travel to and from campus. Early and late express stops are available for the commuter students residing at The Villa's in Bryn Mawr. The Mobility Shuttle is available to students with disabilities or injuries preventing them from using the On-Campus Shuttle. For further information on shuttles services or schedules, please review the [Shuttle Information](#) page.

Villanova University is conveniently located along multiple public transportation routes serviced by SEPTA. Passes for SEPTA can be purchased at the Paoli/Thorndale station. SEPTA Airport line is approximately 25-minute ride from campus. Resident Freshman and Sophomores are expected to utilize the campus shuttle service, car share (Zipcar) program, ride shares, and/or public transportation for any off-campus appointments, errands, and activities. Please review the [Transportations Options](#) page for more details.

## Personal Property, Insurance, and Personal Risk

### Personal Property and Insurance

Villanova University assumes no responsibility for the loss, damage or theft of students' personal possessions at any time, including those times when students are attending or absent from the University. Students are encouraged to inventory their personal possessions periodically, engrave their names on all personal possessions, record the serial numbers of personal possessions, and keep them in a safe place. Moreover, students are encouraged to obtain personal property insurance for their personal possessions. Students should understand that Villanova University's insurance program covers only University property and does not extend to the personal property of students, even if the student resides on campus.

Likewise, the University's automobile insurance applies only to vehicles owned, leased, or rented by the University. Damage to students' personal vehicles while parked or driven on campus, should be covered by the vehicle owner's personal automobile insurance policy.

### Personal Risk

Students participating in University athletic or other activities do so at their own risk. The University assumes no responsibility for accident, loss, injury, or death resulting from such activities.

# Personal Relationships Policy

For the full Personal Relationships Policy, please visit the University's [Policy Library](#).

## POLICY STATEMENT

Villanova seeks to maintain an educational atmosphere wherein students, staff, and faculty members inter-relate in appropriate professional and pedagogic ways. In keeping with this goal, employee-student relationships are strongly discouraged, and in most cases prohibited. Employees are not permitted to have romantic or sexual relationships with Villanova undergraduate students. In addition, faculty members are not permitted to have romantic or sexual relationships with graduate students who are enrolled in their classes; who are majors, minors, or concentrators in their departments or programs; who work as their research or teaching assistants; or over whom they exercise any other type of supervision or academic/professional judgment. Staff members and coaches are similarly not permitted to have romantic or sexual relationships with graduate students over whom they may exercise any type of supervision or academic/professional judgment.

In addition to the potential for abuse of power in such relationships, sexual and romantic relationships between employees and students place the employee in an unethical and unprofessional conflict of interest, and hence are unacceptable. Although it is recognized that the student may be a full and willing participant in such a relationship, both the responsibility for adhering to this policy and the consequences for violating it fall upon the employee rather than the student in such situations.

Student assistants are not permitted to have sexual or romantic relations with students who are enrolled in their classes or over whom they exercise any other type of supervision or judgment. The prohibition against romantic or sexual relationships with other students who are graduate students, majors, minors, or concentrators in their department or program does not apply unless the student assistants have some supervisory relationship to those students. Otherwise, the same principles apply to student assistants as apply to faculty members.

Certain relationships may arise in the work environment that have the potential for compromising or appearing to compromise the fairness and objectivity of a supervisor, in relation to subordinates, and which may result in a conflict of interest. The University recognizes that all individuals are entitled to freely choose their personal associations and relationships. However, when a faculty or staff member enters into a romantic and/or sexual relationship with an employee whom he or she supervises, a power differential may exist which can compromise an individual's exercise of such choice in personal relationships. Others may also perceive such a relationship as one of preferential treatment that may be detrimental to themselves or others. Thus romantic and/or sexual relationships between faculty/staff members and employees under their supervision – even though consensual – are strongly discouraged. If such relationships are entered into, they should be approached in a sensitive manner, with an understanding of how they may be perceived by others, and comply with the reporting procedure described below. Similarly, relationships among individuals on the same level, even where there is no component of supervisory authority or influence, may be misinterpreted by others and should be approached in a sensitive manner.

Employees are not permitted to use social media applications (e.g. Grindr, Tinder, Facebook) to pursue romantic or sexual relationships with Villanova undergraduate students or any Villanova students under their supervision.

## PROCEDURE

Employees engaged in a romantic or sexual relationship with undergraduate students or other students they may supervise are required to report the relationship immediately. For faculty members, the relationship should be reported to their department chairs (or to the Dean in the College of Nursing or College of Professional Studies). The chair should also notify the appropriate dean and the University's Sexual Harassment Officer. For staff members, including coaches and student assistants, the relationship should be reported to their immediate supervisor and the Human Resources Department.



The individual to whom the relationship is reported is charged with taking appropriate action, in consultation with other appropriate University officials, to eliminate both the substance and appearance of conflict of interest or abuse of power. Department chairs, Human Resources staff and other officials who deal with these situations are expected to do so in ways that do not penalize or stigmatize the student, and, when possible, are expected to keep these matters confidential.

If a faculty or staff member is engaged in a romantic and/or sexual relationship with a subordinate employee, any such faculty member is required to notify his/her department chair (or Dean in the College of Nursing or College of Professional Studies) and any such staff member is required to notify his/her immediate supervisor and the Human Resources Department, and to make alternative arrangements for supervision of the subordinate employee, especially any decision making regarding any employment action or benefit pertaining to the subordinate employee.

Employees and student assistants who have pre-existing relationships with students that could potentially violate this policy should promptly report the relationship to the appropriate contact. Exceptions to this policy will be considered on a case-by-case basis. Full-time employees who are also part-time students may also be eligible for an exception in certain circumstances.

The sanction imposed for violation of this policy will necessarily depend on the facts and circumstances of the case, including whether the employee or student assistant voluntarily reported the relationship, and may range from a reprimand to termination of employment, subject to the terms of the Dismissal and Suspension Procedure for Faculty, if applicable.

## Photography and Video Appearances

Students attend many events on campus and off campus, including educational, athletic and social events at which photographs or video recordings may be taken either by or on behalf of University personnel or by other students or unaffiliated third parties. Attendance at such an event is deemed to constitute consent by and on behalf of the student to the recording and use of the student's image, voice or likeness in any live or recorded transmission or photographic reproduction of such event in any media, for any purpose whatsoever, including the commercial purposes of the University, its sponsors, licensees, advertisers and broadcasters.

## Smoking Policy

All University buildings and residence halls have been designated as smoke and vape free. Smoking and vaping are prohibited in all areas of these buildings. Smoking and vaping are also prohibited in shuttle buses, escort vans and University owned small carts and vehicles.

Smoking and vaping are permitted outside campus buildings provided the person is 25 feet from an entrance or exit, air intake duct or window. Appropriate waste receptacles are provided for proper disposal of cigarettes, ashes, etc.

All visitors shall be informed by the Villanova staff person or student responsible for the visitor(s) of the Smoking Policy, if applicable.

## Student Crime Reporting

The University encourages students to report criminal activity immediately to the Department of Public Safety. Public Safety officers are on-duty 24 hours a day, seven days a week to respond to reports of crimes on campus. There are several ways to contact Public Safety to report a crime:

- By phone, by calling (610) 519-4444;
- In person, by visiting the Public Safety Department in Garey Hall;
- By activating a campus emergency phone;
- Through the Department of Public Safety website found at: <http://www1.villanova.edu/villanova/publicsafety.html>

# Student Leave of Absence Policy

For the most current Student Leave of Absence policy, visit the Villanova Policy Library at <https://villanova.policytech.com/docview/?docid=1343&public=true>

Regardless of the reason, a student contemplating time away should speak with the Dean's office of the student's academic college or the Dean of Students Office as early as possible. Except as otherwise stated in this policy, all requests for leave must be made in writing. A student's eligibility for any adjustment of tuition and fees based on a leave will be determined according to the Tuition Refund policy.

International students who are studying in the United States on a student visa should contact the International Students Services Office before submitting a leave of absence request to the University, as taking a leave of absence can have significant visa-related implications.

This policy may not be used in lieu of disciplinary action to address any violations of University rules, regulations, policies, or practices, and students on leave remain subject to the provisions of the Code of Student Conduct. A student who is placed on voluntary or involuntary leave while on academic and/or disciplinary probation will return to that same status.

## **Non-Medical Leave of Absence**

Villanova recognizes that it is sometimes necessary for students to interrupt their enrollment for a period of time and take a leave of absence. Students may take a nonmedical leave for a variety of reasons including, for example, to attend to academic, personal, or financial matters.

### **Non-Medical Leave of Absence Process**

A student who wishes to take a non-medical leave of absence must take the following steps:

1. Submit a completed "Request for Non-Medical Leave of Absence" form (available online at: <https://www1.villanova.edu/villanova/provost/resources/student/policies/absence.html>) to the Dean's office of the student's academic college or the Dean of Students office, or their designee; and
2. Meet with a designated staff or faculty member to review the request.

Students may request a non-medical leave at any time during the semester, but must complete such requests – including any requisite evaluation and related paperwork – no later than the last day of classes in a semester. If a student does not complete a nonmedical leave request by the last day of classes, the University will deem the request late and consider it for the following semester.

If the University finds good cause, a leave may be granted. Because every student's situation is different, the terms of a non-medical leave will be determined individually, including the duration of leave, any restrictions from living in residence halls or coming on campus or attending University events, and any conditions for the student's eligibility to return to campus following the leave.

The process for returning from a non-medical leave is covered in the Return Following a Leave section.

## **Medical Leave of Absence**

Students may request a medical leave of absence (MLOA) if they experience health situations that significantly limit their ability to function successfully or safely in their role as students.

### **MLOA Process**

A student seeking a MLOA must take the following steps:



1. Submit a completed “Request for Medical Leave of Absence” form (available online at <https://www1.villanova.edu/villanova/provost/resources/student/policies/absence.html>) to the Dean’s office of the student’s academic college or the Dean of Students office, or their designee; and
2. Meet with a designated staff or faculty member to review the request.

The student may be asked to schedule and undergo an evaluation by the Student Health Center and/or the University Counseling Center before a leave is granted. This evaluation will occur after the student has met with the Dean, Associate/Assistant Dean, or their designee. The student may be asked to sign a release allowing the Student Health Center and/or the University Counseling Center to discuss their evaluation of the student with the Dean, Associate/Assistant Dean, or their designee who is reviewing the request.

After evaluating the student, the Student Health Center and/or the University Counseling Center will determine whether a significant health issue has compromised the student’s health, safety or academic success, and will submit an individualized recommendation to the Dean, Associate/Assistant Dean, or their designee regarding the student’s request for a MLOA.

The Dean, Associate/Assistant Dean, or their designee reviewing the request will make the final determination whether to grant the MLOA and will notify the student of the decision in writing. Because every student’s situation is different, the terms of a MLOA will be determined individually, including the duration of leave, any restrictions from living in residence halls or coming on campus or attending University events, and any conditions for the student’s eligibility to return to campus following the MLOA.

Students may request a MLOA at any time during the semester, but must complete such requests – including any requisite evaluation and related paperwork for the Dean’s office – no later than the last day of classes in a semester. If a student does not complete a MLOA request by the last day of classes, the University will deem the request late and consider it for the following semester.

### **Involuntary Leave of Absence (ILOA)**

If a student is unable or unwilling to take a voluntary leave of absence, the Dean of the student’s academic college, the Dean of Students, or their designee may initiate an individualized assessment to determine whether the student should be involuntarily separated from the University.

The Dean of the student’s academic college, the Dean of Students or their designee may place a student on an involuntary leave of absence (ILOA) in situations where a student does not want to take a leave voluntarily, and current medical knowledge and/or the best available objective evidence indicates that:

- the student poses a significant risk to the health, functioning, or safety of others; or
- the student is unable or unwilling to carry out substantial self-care obligations and poses an actual risk to the student’s own safety not based on mere speculation, stereotypes, or generalizations about individuals with disabilities.

In no case will the University require a leave based on a student’s mental or physical condition itself.

### **ILOA Process**

Except in emergency situations, before placing any student on an ILOA, the Dean of the student’s academic college, the Dean of Students, or their designee will (a) notify a student in writing that the University is seeking to determine whether the student should be required to take a leave of absence, and (b) conduct an individualized assessment.

In making this individualized assessment, the Dean of the student's academic college, the Dean of Students, or their designee will:

- consider available information and documentation regarding the student's behavior;
- if feasible, hold a hearing with the student, which the student's parent(s) or legal guardian(s) may attend, and allow the student to provide any information the student believes is relevant to the determination;
- consult with other appropriate University members, which may include, but are not limited to, professors and representatives from the Student Health Center, University Counseling Center, Residence Life, Department of Public Safety, Office of Disability Services, and/or the Dean of Students Office. The University may require that the student receive an evaluation by the Student Health Center and/or University Counseling Center, and to authorize the Student Health Center and/or University Counseling Center to share the results and recommendations of their evaluation with the reviewing Dean or their designee. If a student refuses to participate in the evaluation or to authorize the release of the evaluation results, and there is an actual or imminent health risk, the University may restrict the student's access to educational programs and activities, University services, entry to the campus, and/or ability to reside in a residence hall; and
- carefully consider the opinions and recommendations of the student's treating providers, if available, along with the opinions and recommendations of any other healthcare professionals consulted by the University.

The Dean of the student's academic college, the Dean of Students, or their designee will consider factors such as the following: the nature of the student's conduct; the impact of the student's conduct on others in the community; the nature, duration and severity of the risk; the likelihood of potential injury; and whether reasonable modifications of policies, practices or procedures will mitigate the risk and allow such student to continue to attend classes and otherwise participate in the University's educational programs.

Reasonable modifications do not include changes that would fundamentally alter the University's academic program or unduly burden its resources or staffing capabilities or with respect to the required level of care or monitoring, that would exceed the standard of care that a university health service or counseling center can be expected to provide. A student's failure to comply with reasonable modifications may result in the student being asked or required to leave the University.

The Dean of the student's academic college, the Dean of Students, or their designee will determine whether the student (1) may remain in attendance without conditions or restrictions, or (2) may require a reasonable accommodation or accommodations to continue in attendance, or (3) may not continue in attendance or participate in educational programs and activities, use University services, and/or continue to reside on campus. The Dean of the student's academic college, the Dean of Students, or their designee will notify the student in writing of the decision. If a leave is required, the decision will specify the duration of the leave, any restrictions from coming on campus or attending University events, any conditions for the student's eligibility to return to the University following the ILOA, and available appeals procedures. These determinations will be made on an individual basis.

### **Return Following a Leave**

Some students who take a leave will have no requirements attached to their return to the University. However, students may be subject to specific requirements for their return based on the circumstances of their departure. Any conditions or requirements for return will be based on an individualized assessment of the student, including consideration of current medical knowledge and/or the best available objective evidence. The goal of these conditions is to prepare the student for a successful return to the University.

A student who is placed on a leave of absence for any reason, voluntary or involuntary, may apply to return to the University by writing to the Dean's office that granted the leave. The student must demonstrate that the student has met any conditions or requirements that were specified for the student's return to the campus community.

For health-related leaves, the student may be required to provide documentation from treating providers regarding: (a) the treating provider's work with the student and the student's clinical status; (b) an opinion as to the student's readiness to resume academic studies, with or without reasonable accommodations; (c) an opinion as to the student's ability to function as a successful member of the campus community, with or without reasonable accommodations; and (d) a completed Community Provider Report Form for Student's Requested Return to Villanova University. Any documentation from treating providers must be signed, dated, and (other than the Community Provider Report Form) submitted on letterhead. Because the University must consider the opinion of a student's treating providers, the student will also be asked to sign releases allowing appropriate University professionals to communicate directly with the student's treating providers.

The student also may be required to undergo an evaluation by the Student Health Center and/or the University Counseling Center.

The Dean, Associate/Assistant Dean, or their designee that granted the leave, in consultation with the Student Health Center and/or the University Counseling Center, will carefully consider the opinions and recommendations of the student's treating providers, if available, and any other health care professionals consulted by the University. The Dean, Associate/Assistant Dean, or their designee will notify the student in writing of the decision regarding the student's return, including appropriate appeal procedures if the request is denied. A student whose request to return is granted may be required to provide written acknowledgement from the student's parent(s) or legal guardian(s), confirming that they approve of the student's return to campus.

Students on leave must complete their request to return submissions by December 1 for the spring semester, April 1 for the summer semester, and July 1 for the fall semester. These deadlines ensure that the appropriate University officials have enough time to review the student's request. The University will attempt to be flexible and review requests completed within a reasonable time after the relevant deadline. Nevertheless, if there is information missing from the request, and/or the University needs additional time to contact the student's treating provider(s) (for health-related leaves), the University may consider the student's return for the following semester than the semester for which the student initially sought to return.

Students should check in periodically with their academic Dean's office during their leave, as indefinite leaves are not permitted.

## **Appeals**

A student may file an appeal regarding (a) the student's placement on an involuntary leave, or (b) the denial of the student's request to return from any leave, whether voluntary or involuntary. The student must submit the appeal in writing within ten (10) business days of receiving the decision being appealed. If an Associate/Assistant Dean or their designee issued the decision, the student may direct an appeal to the Academic Dean of the student's college. If the Dean of Students or their designee issued the decision, the student may direct an appeal to the Vice President for Student Life (VPSL). The student may not remain on campus during the appeal period.

Appeals should clearly state the specific grounds for appeal and should present relevant information, including medical or clinical evidence, in support of the student's position. The student may be required to sign a release to enable the Academic Dean or VPSL to consult with the student's health care providers. The Academic Dean or VPSL will review the record and any additional information submitted

by the student in the appeal and will render a written and final decision within ten (10) business days of receiving the appeal. The Dean of Students or VPSL may extend the time limits set forth above as necessary.

### **Military Leaves and Returns**

Villanova recognizes that students who serve in the U.S. armed forces may be required to take a leave from their program or course of study due to military service. Military service refers to service, whether voluntary or involuntary, in the armed forces, including service by a member of the National Guard or Reserve on active duty, active duty for training, or full-time National Guard duty under federal authority, for a period of more than thirty (30) consecutive days under a call or order to active duty of more than thirty (30) consecutive days. This does not include National Guard service under state authority.

#### **Student Responsibilities**

The student must provide notice of any military leave as far in advance as is reasonably possible under the circumstances. This notice (a) should be directed to the Dean's office of the student's academic college or the Dean of Students Office, or their designee, (b) may be provided by the student or any warrant, commissioned, or noncommissioned officer authorized to give such notice, and (c) does not need to indicate whether the student intends to return to the school. In circumstances where military necessity precludes the student from providing advance notice, such as service in operations that are classified or would be compromised by such notice, the student should provide notice to the University as soon as possible, including an attestation of military service that necessitated the student's absence.

The student must provide notice of intent to return to the University to the Dean's office that granted the leave within three (3) years after the completion of the period of service. Any student who experiences an illness or injury incurred or aggravated during the period of service must notify the University within two (2) years after the period needed for recovery from the illness or injury. If the student fails to provide notice as required in this paragraph, the University's standard procedures for returning following a leave will apply.

Notices made under this section may be oral or in writing, although written notice is preferred to the extent possible.

#### **Military Leave Process and Return**

Following notice of intent to resume the program or course of studies, the student may return to the program or course of study with the same academic status and standing as the student had prior to taking the military leave. If the same program is no longer offered or has changed substantially in the interim, the University will permit the student to enroll in a similar program, to the extent possible and appropriate under the circumstances. If the student would like to enroll in a different program or course of study at the conclusion of the military service, the student must complete the regular admission and enrollment process for that program or course of study.

The cumulative length of the absence and all previous absences from the University for military service generally may not exceed five (5) years.

## **Title IX Notice**

Title IX of the Education Amendments of 1972 ("Title IX") prohibits discrimination on the basis of sex in any federally funded education program or activity.

Sexual harassment, which includes sexual assault and other sexual misconduct, is a form of sex discrimination. Under the University Sexual Misconduct Policy, the University prohibits sexual harassment, sexual assault, sexual exploitation, stalking and retaliation. Title IX and the University's Policy also applies to acts of domestic or dating violence, also known as intimate partner violence. As a

recipient of federal funds, Villanova University complies with Title IX and has appointed Ryan Rost as its Title IX Coordinator with overall responsibility for Title IX compliance. Ryan can be reached at 204 Tolentine Hall, (610) 519-8805, [ryan.rost@villanova.edu](mailto:ryan.rost@villanova.edu).

Any student, employee or applicant for employment or admission to the University who believes that he or she has been discriminated against on the basis of sex, in violation of Title IX, or has been a victim of sexual assault, sexual harassment or other sexual misconduct, may file a complaint with the Title IX Coordinator or Deputy Coordinator designated below. The Title IX Coordinator or Deputy Coordinator will assist the complainant in identifying the appropriate University policy (with its grievance procedure) to resolve the complaint in a prompt and equitable manner. The Title IX Coordinator or Deputy Coordinator may consult with other Villanova administrators, as needed, to resolve the complaint in the most effective manner.

The Title IX Coordinator is supported by several Deputy Title IX Coordinators, all of whom are knowledgeable and trained in state and federal laws that apply to matters of sexual assault, sexual harassment or other sexual misconduct, as well as University policy and procedure.

**Ryan Rost | Title IX Coordinator**

204 Tolentine Hall | (610) 519-8805 | [ryan.rost@villanova.edu](mailto:ryan.rost@villanova.edu)

**Kim Carter | Deputy Title IX Coordinator**

Title IX Investigator

Garey Hall | (484) 343-6926 | [kim.carter@villanova.edu](mailto:kim.carter@villanova.edu)

**Kathleen Byrnes | Deputy Title IX Coordinator**

Associate Vice President for Student Life and

Sexual Harassment Complaint Officer

202 Dougherty Hall | (610) 519-4550 | [kathleen.byrnes@villanova.edu](mailto:kathleen.byrnes@villanova.edu)

**Albert Baladez | Deputy Title IX Coordinator**

Human Resources Director, Employee Relations and Compliance

Villanova Center Room 260 | (610) 519-4238 | [albert.baladez@villanova.edu](mailto:albert.baladez@villanova.edu)

**Lynn Tighe | Deputy Title IX Coordinator for Athletics**

Senior Associate Athletic Director for Administration

Field House, Second Floor | (610) 519-4121 | [lynn.tighe@villanova.edu](mailto:lynn.tighe@villanova.edu)

## University Information Technologies

The Office of Information Technologies (UNIT) maintains a variety of policies governing the use of University computing and communication resources. Every member of the University community is bound by these policies and is expected to be thoroughly familiar with them. Persons found in violation of these policies will be subject to the full range of disciplinary sanctions, up to and including expulsion. In order to retain necessary flexibility in administration of policies, the University reserves the right to interpret, revise, or delete any of the provisions of these policies, as the University deems appropriate in its discretion. All changes in policy are approved by appropriate governing bodies of the University prior to publication.

Complete copies of all University Information Technology policies are available in the [Villanova Policy Library](#) to include, but not limited to: copyright infringement and illegal file sharing; email policy; and acceptable use.

1. Misuse of IT systems may include but is not limited to:
  - Unauthorized entry into a voice/email mailbox.
  - Unauthorized use of another individual's username or password.

- Sharing of University-provided username or password with other faculty, staff, students or individuals.
  - Use of University telephone/email/Internet to send abusive, harassing or obscene messages
  - Use of browsers or programs to hide or change your network address in an attempt to create privacy while connected to the University network or resource.
  - Use of personal routers (wired or wireless).
  - Probing or scanning the University network or attempting to cause a denial of service.
  - Consumption of a disproportionate amount of network bandwidth.
  - Attempting to connect to systems where access has not been authorized.
  - Accessing personal information of others without authorization.
2. Students are responsible to maintain the security of their personal computers including updating the device with security patches and updating installed software to mitigate vulnerabilities.

## Use of Name and Trademark

A trademark is a word, phrase, symbol or design (or a combination them) that identifies and distinguishes the source of the goods or services of one party from those of others. The University has registered with the U.S. Patent and Trademark Office trademarks for a variety of the names (and nicknames) of the University as well as its logos, brands, seal, emblem and insignia. Students may not use their University status or the University's name, trademarks, seal, emblem, insignia, trademarks or facilities in any print, video or electronic announcement, advertising or promotional material, publication, correspondence or commercial which could in any fashion be construed as implying University endorsement of any product, project, service or activity. Exceptions to the general prohibition may be granted for students at the discretion of the Vice President for Student Life in consultation with the Vice President for Communications and the University's Vice President and General Counsel.