

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 behavior 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 behavior, create community, and enhance respect for individual differences while emphasizing a commitment to the common good. Secondly, the Code represents limits, a description of behaviors that contradict the purpose and nature of Villanova University. Such behaviors violate 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 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 Code and the Special Procedures Governing Proceedings Involving Allegations of Sexual Assault, Sexual Harassment and Other Sexual Misconduct set forth in the University’s Sexual Assault, Sexual Harassment and 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.

The following guidelines have been established as behavioral expectations for continued membership in the Villanova community. The rationale for these is drawn directly from the University’s Mission Statement. Violations of these regulations may result in the full range of disciplinary sanctions, as set forth in this Code.

Jurisdiction

The Code of Student Conduct applies to all students enrolled at Villanova University, with the exception of students of the School of Law, who are governed by School of Law policies and procedures. This includes students participating in Villanova University sponsored overseas study programs. The University has a vital interest in the character of its students and may regard their behavior 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 discipline any student found responsible for violating the Code. The University will exercise its right to pursue violations of the Code and discipline students in cases where the conduct has an adverse impact on any member of the University community or the University. Students 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 disciplinary matter pending, the University retains jurisdiction and the matter will remain open. If the student seeks readmission and is reenrolled following a withdrawal, all open disciplinary matters will be adjudicated. Students on leave remain subject to the provisions of the Code of Student Conduct and all open disciplinary matters or alleged violations committed while on leave will be adjudicated prior to the student's return to the University.

Scope

The list of prohibited behaviors set forth in the following statements is intended to be illustrative only. The list is not intended to be all-inclusive. Other misconduct, irresponsible behavior, or behavior which is disruptive to the community including without limitation, violations of published University policies, rules or regulations, or criminal statutes, violates the Code whether or not a specific description of such misbehavior is set forth. 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. These policies may be amended during the course of the academic year as deemed appropriate. Please note that portions of this Code use they/them/their as singular pronouns.

Conditions of Membership

Obligation for Implementation of the Code

1. Students who fail to appear for a scheduled disciplinary meeting without prior permission from the Conduct Review Officer may be found responsible for violating the alleged provision of the Code of Student Conduct. Students who fail to appear may be subject to a more severe sanction than that which would have been imposed for the alleged violation.
2. Failure to comply with an official request by a University Official is by itself subject to disciplinary action including a hold on records.
3. Failure to carry out the conditions of a disciplinary 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.
4. Failure to pay disciplinary fines will result in the withholding of University records or transcripts, and may result in further disciplinary action.
5. Students 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.
6. Students identified as potential witnesses to alleged violations of the Code of Student Conduct are expected to participate fully in the process. Students who fail to comply may be in violation of the provisions of this paragraph and sanctioned appropriately.
7. 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.

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.

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.

Use of Keys, Access Codes, and Access Cards

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 probation with loss of campus residency, significant fines, and/or suspension.

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. 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 door, will result in fines, loss of campus residency, or suspension.
4. 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.
5. 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.
6. 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.

7. The use of opposite gender bath and/or shower rooms is prohibited.

Use of Parking

University parking privileges are non-transferable. The fraudulent use or attempted fraudulent use of parking permits is likely to result in disciplinary probation, fine and/or suspension of privileges. See Public Safety Publications for additional details.

Compliance with Dining Services Contract

Failure to abide by dining regulations, including, but not limited to engaging in food fights, other disruptive or disrespectful behavior, transferring meal cards, removal of food or utensils will result in a range of sanctions involving suspension of dining privileges up to and including suspension from the University.

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 (See 'Residence Life Policies' in this publication).

Environmental Expectations

Environmental Expectations Policy

"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."

Creation of a safe and peaceful environment where both people and property are respected is the responsibility of every community member. Consistent with such an environment, illegal, offensive and dangerous behaviors, including but not limited to those listed in this Code, are prohibited.

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 the campus, including but not limited to:
 1. Intoxication that results in impaired motor skills or balance, slurred speech, disorientation, vomiting, blacking-out, passing-out, or other similar behavior.
 2. Disruptive, disorderly, or dangerous conduct related to the consumption of alcohol.
 3. Driving on or off the 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:

1. 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.
2. Consumption or possession of alcoholic beverages in open containers is prohibited in common areas of residence halls, including hallways, lounges, lobbies, stairwells, and bathrooms.
3. Alcoholic beverages may not be possessed or consumed in academic, administrative, or public areas of campus without authorization from appropriate University officials.
4. 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.
5. 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
6. 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.
7. 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:

1. 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*.
2. 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.
3. 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.
4. 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). Violations may result in a referral to Community Standards, educational follow-up, warnings, fines, disciplinary probation (plus other disciplinary measures) up to and including suspension or expulsion from the University. Typically, 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 less severe sanctions. 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, 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 where a violation occurs regardless if the alcohol containers are empty or full, decorative or otherwise, and whether or not the residents are present at the time of the violation.
4. All students found in violation of the alcohol policy must comply with all educational requirements specified by the Assistant Dean of Students for Alcohol and Drug Intervention and/or the Community Standards Coordinator. The Assistant Dean of Students for Alcohol and Drug Intervention and the Community Standards Coordinator will inform the Dean of Students 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, whether full or empty. Violations involving alcoholic beverages that contain fifteen percent (15%) or greater alcohol by volume, or common source alcohol containers, or where there is disruptive, disorderly, dangerous, or uncooperative behavior will face more severe fines. For example, the fine for a 1.75L "handle" of liquor is \$300; and a common source alcohol container (e.g. a keg or "jungle juice" container) is \$500, per violation.

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 illegal drugs or controlled substances.
3. The unauthorized possession or the misuse of prescription medications.

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, 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 may result in educational follow-up, warnings, disciplinary probation, fines (plus 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.

For example, the use or possession of marijuana will typically result in disciplinary probation and a \$500 fine (plus other disciplinary measures). Aggravating factors and/or subsequent violations involving marijuana may result in suspension or expulsion. The illegal use or possession of other types of drugs will likely result in suspension or expulsion. Violations of Section 1 of the drug policy will likely result in expulsion.

The University reserves the right to sanction all residents of a room/apartment where a drug policy violation occurs, and/or those present at the time of the violation. 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 behavior designed to avoid detection.

Students found in violation of the drug policy must comply with all educational requirements specified by the Assistant Dean of Students for Alcohol and Drug Intervention.

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

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 their behavior. 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 psychological harm, hazing, disorderly or indecent conduct, failure to comply, theft, dangerous practices, or destruction of property. 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.

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 University 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.

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 Assault, Sexual Harassment, or Sexual Misconduct Policy.

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, fire-works, 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.

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;

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.

Gambling

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.

University IT Policies

1. The Office of University 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 them and is expected to be thoroughly familiar with them. Students in violation of these policies will be subject to the full range of disciplinary sanctions, up to and including expulsion. See "Computing Policies" in the Student Handbook.
2. Misuse of IT systems may include but is not limited to:
 1. Unauthorized entry into a voice/email mailbox; or
 2. Unauthorized use of another individual's username or password; or
 3. Use of University telephone/email/internet to send abusive, harassing or obscene messages may result in disciplinary probation plus other disciplinary measures, up to and including suspension.

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.

Relational Expectations

Relational Expectations Policy

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."

Among the strongest expectations for any voluntary community are those defining behaviors between and among its members. Because Villanova University is a God-centered community, it seeks to reflect the message of St. Augustine and the teachings of the Gospels. Therefore, insensitive, disrespectful, harassing, threatening, obscene or violent behavior is considered most offensive. Such behaviors, including but not limited to those listed in this Code, are violations of this Code and strictly prohibited.

Discrimination

Villanova University is dedicated to educating students of diverse racial and ethnic origins and to fostering broad appreciation for cultural and ancestral 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 Assault, Sexual Harassment and Sexual Misconduct Policy.

Villanova University finds such discriminatory conduct particularly offensive 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 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 outlined in the Code of Student Conduct.

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.

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.

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](#)

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.

Psychological 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.

Sexual Assault, Sexual Harassment, Sexual Misconduct

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

Sanctions imposed on persons found responsible for acts of sexual assault, sexual harassment or other sexual misconduct include conduct notice, verbal warning, housing status advisory, probationary warning, disciplinary probation, loss of campus residency, disciplinary probation with loss of privilege, suspension and expulsion. In conjunction with the sanctions above, students may be subject to one or more of the following other disciplinary measures: disciplinary fines; disciplinary residence hall room change; exclusion from University buildings; University events; intramural sports; extracurricular and residence hall activities; community service, restriction on housing lottery, no contact directives; Dean of Student hold on records; alcohol and drug education; anger and behavioral management classes; research and educational writing assignments; and other educational measures.

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 behavior, 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.

For some incidents involving alcohol policy violations, the Conduct Review Officer may determine that the matter is more appropriately resolved external to the Code of Student Conduct and may refer the issue to the Community Standards Coordinator in the Office of Health Promotion.

While an alleged violation is being investigated and at any time during adjudication of the matter, the Conduct Review Officer may, at their discretion, put in place appropriate administrative measures to ensure the safety and well-being of the community, to preserve evidence, and to maintain the integrity of the Code of Student Conduct process.

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

Initiating a Complaint and Student Procedural Rights

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 procedures available to them.

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

The individual complainant could:

1. Request the University to pursue action 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 reserves the right to exercise discretion on taking disciplinary action against students.

Student Procedural Rights

Once a complaint has been initiated under the Code, the Conduct Review Officer will schedule a meeting with the accused student (hereafter referred to as the "Respondent"). The Conduct Review Officer will provide the rights and options available as well as the potential sanctions for the alleged violation in question.

During the meeting, the alleged violations of the Code of Student Conduct are discussed, and the Respondent is afforded the opportunity to review the facts which form 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 records 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.

Procedural Options

For incidents involving alcohol policy violations, the Conduct Review Officer will assess the level of severity of the incident, the type and quantity of alcohol present, attendant circumstance surrounding the incident, and the past behavior of the student(s) involved. Based on that assessment, the Conduct Review Officer may refer the student to the Community Standards Coordinator for resolution of the matter external to the Code of Student Conduct. 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 Community Standards Coordinator will meet with the student to discuss healthy decision making, alternative strategies, coping with peer pressure, and the short and long term impact of their behavior. This meeting is mandatory and failure to attend and comply will result in the Community Standards Coordinator referring the student back to the Conduct Review Officer for resolution under the provisions of the Code of Student Conduct.

If the University elects to pursue action under the Code of Student Conduct, the Conduct Review Officer will schedule a meeting with the Respondent, except in cases where the sanction is no greater than a Conduct Notice and/or a Disciplinary Fine that does not exceed \$150.00. In such cases, the University may elect to administratively sanction the student and notify them in writing. Upon receipt of notice of the sanction, the student may request a meeting be held if there is any objection to the imposed sanction.

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 records until the meeting takes place.

A. Administrative Action

During the meeting with the Conduct Review Officer, students suspected of a Code violation who 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. Students who accept responsibility do not waive their right to appeal for review of the sanction as outlined in the Code.

B. Administrative Review

When students suspected of a Code violation deny responsibility or the facts of a specific incident are in question, the students may elect to have an administrative review by the Conduct Review Officer. The Conduct Review Officer will generally follow the procedures outlined for the University Conduct Review Board in conducting this proceeding. In their discretion, 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 issue sanctions accordingly.

C. Conduct Review Board

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, it would be beneficial to have the matter heard by a Conduct Review Board. The Conduct Review Officer may consult with appropriate University officials in making this determination. As an institution of higher education, the University 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.

Conduct Review Board Procedures

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 him/her.

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 in the room during proceedings.

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.

D. Mediation

Villanova University may, at the discretion of the Dean of Students or their designate, require students to attempt to mediate the resolution of a complaint through the mediation procedure. Any Complainant or Respondent may request that the Dean of Students or their designate consider a complaint for referral to the mediation process. Mediation will be used solely at the discretion of the University for appropriate cases.

In the event the Dean of Students, or their designate, requires mediation of a particular complaint, the Dean of Students or their designate will appoint a mediator from the faculty or staff. After a mediator has been appointed, the mediator will meet with all relevant individuals involved. The mediator will help resolve concerns on an ad hoc and confidential basis. If, after reasonable efforts, the situation cannot be resolved by mediation in the opinion of the Dean of Students or their designate, the Dean of Students may pursue the complaint through the other procedural options provided for in the Code of Student Conduct.

Sanctioning

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 during disciplinary proceedings;

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.

Sanctions for Violations of the Code

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.

The following disciplinary sanctions 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.

Non-Reportable Sanctions

The following sanctions provide notice to a student that a particular action or behavior is in violation of University policies, and therefore unacceptable. Continuation of similar behavior or future violations may result in more severe disciplinary action, including Reportable Sanctions. Non-Reportable 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 a particular action or behavior is in violation of University policy, and that future violations may be cause for additional disciplinary action. This notification is typically delivered via University email and requires no in-person meeting with a Conduct Review Officer.

Verbal Warning

A Verbal Warning is an official notice to a student that a particular action or behavior has violated the standards and expectations of the University. Future violations will likely result in additional disciplinary action.

Housing Status Advisory

A Housing Status Advisory is an official notice to a student that a particular action or behavior has put their on-campus housing status in jeopardy. Future violations of University policies may result in a disciplinary room change, restrictions on housing selection, ineligibility to participate in a housing lottery, loss of campus residency, or more severe sanctions.

Probationary Warning

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

Reportable Sanctions

The following sanctions are typically the outcome of serious or repeated violations of the Code of Student Conduct. These sanctions impact a student's disciplinary status with the University, as well as impose other restrictions and/or conditions of membership. Reportable Sanctions are disclosed to authorized external third-parties for a stated period of time, in accordance with the Disciplinary Records policy.

Disciplinary Probation

Disciplinary Probation is a defined period of time during which a student is not in good disciplinary standing and serves as an official notice that a student's continued membership at the University is in jeopardy. Additional offenses or violations of 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 and serves as an official notice that a student's continued membership at the University is in jeopardy. 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 offenses or violations of 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.

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.

Other Disciplinary Measures

In conjunction with 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. **Disciplinary Fines:** Payment by the student of reasonable monetary fines to the Bursar's Office. These monetary payments may be for punitive purposes or for purposes of restitution because of damage to persons or property, or misappropriation of property.
2. **Disciplinary Residence Hall Room Change:** An action which requires a student to vacate their current room and relocate to another room because of disciplinary reasons.
3. **Restrictions on Housing Selection:** An action which may exclude a student from participation in a particular housing lottery, or affect his or her ranking within a particular lottery, or affect eligibility to live in certain residence halls.
4. **Exclusion from University Property, University Buildings, University Events, Intramural Sports, Extracurricular and/or Residence Hall Activities** for a stated period of time.
5. **Community Service:** An action that requires a student to give a specific number of hours of uncompensated service to some task 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.

6. **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.
7. **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, and anger and behavioral management classes.
8. **Loss of Campus Residency:** An action which excludes a student from residence on campus, either on a temporary or permanent basis.
9. **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.
10. **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.
11. **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.

Student Conduct Records Retention and Disclosure

1. Retention of student conduct records

As a general rule, student conduct and personal concerns 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 personal concerns 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 records

Disclosure of student conduct 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 personal concerns 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 Sanctions (Conduct Notice, Verbal Warning, Housing Status Advisory, and Probationary Warning), referrals to the Community Standards Coordinator, 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.
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. Other 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 the disciplinary

status of their student.

- The University may also indefinitely report matters that remain unresolved or pending at the time a student left or withdrew from (or otherwise ceases enrollment with) the University.
- Student conduct records may be shared internally with University personnel having a legitimate educational interest, including required disclosures pursuant to Title IX and other policies.
- 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).

Special Procedures Governing Proceedings Involving Allegations of Sexual Assault, Sexual Harassment and Other Sexual Misconduct

Special Procedures Governing Proceedings Involving Allegations of Sexual Assault, Sexual Harassment and Other Sexual Misconduct

IMPLEMENTING THE CODE OF STUDENT CONDUCT

When a report has been filed and the investigation is complete, the procedures set forth below shall constitute the University's Title IX grievance procedures for addressing alleged violations of the Policy on Sexual Assault, Sexual Harassment and Other Sexual Misconduct where the accused is a student. See "Title IX Notice" in the Student Handbook for the University's Title IX Coordinator and Deputy Coordinators for this purpose.

REPORTING SEXUAL ASSAULT, SEXUAL HARASSMENT OR OTHER SEXUAL MISCONDUCT

Any University student, faculty member or staff member or individual who has been subjected to a sexual assault, sexual harassment or other sexual misconduct and who believes that a current student has violated the University's Policy on Sexual Assault, Sexual Harassment and Sexual Misconduct, may file a report with the Dean of Students Office, the Department of Public Safety, the Office for Residence Life, the Title IX Coordinator, or a Deputy Title IX Coordinator.

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

Department of Public Safety - Garey Hall, 610-519-4444

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

Title IX Coordinator - Tolentine Hall room 204, 610-519-8805

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

The individual making the report is referred to in this Code as the Reporter. The individual who is alleged to have been subjected to sexual assault, sexual harassment or other sexual misconduct is referred to as the Complainant. In addition, the University may, in its sole discretion, pursue a violation of the Code of Student Conduct as the Complainant. After a report of sexual assault, sexual harassment or other sexual misconduct is received, the Reporter and/or the Complainant, if known, will be contacted by the Title IX Investigator, Department of Public Safety designate and/or a Sexual Assault Resource Coordinator in order to provide information on the process, resources that are available for the Complainant and to determine the extent of an investigation, or notify local police after consulting with the Complainant.

After the report is made and the Department of Public Safety investigates the report, the Complainant will be consulted about pursuing a complaint with the Dean of Students Office. If the Complainant chooses to pursue the matter administratively through the Code of Student Conduct, the Dean of Students and/or his or her designate (Conduct Review Officer) will review the investigation and determine whether or not, if proven, the allegations would constitute a violation of the Code. If so, the individual 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 a complaint is filed.

The individual complainant could:

1. Request the University to pursue action under the Code of Student Conduct (which also constitutes the University's Title IX grievance procedures); 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; 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 assault, sexual harassment or other 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 initiate or pursue a complaint under the Code of Student Conduct, the University will still take prompt and responsive action to address the report of sexual assault, sexual harassment or other sexual misconduct in a manner consistent with the individual's wishes to the extent possible, and the protection of both individual and broader campus safety. The University reserves the right to exercise discretion on taking disciplinary action against students.

Generally speaking, the University will complete disciplinary proceedings involving sexual assault, sexual harassment or other sexual misconduct in a prompt and timely fashion. All time periods for disciplinary proceedings 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.

STUDENT PROCEDURAL RIGHTS

Once a Complainant has decided to pursue the complaint through the Code of Student Conduct, the Conduct Review Officer will promptly meet with the accused student (hereafter referred to as the "Respondent"). During this meeting, the Respondent is notified of the alleged violation(s) of the Code and afforded the opportunity to review the facts which form the basis for the allegation. The Conduct Review Officer will explain the rights and options available as well as describe potential sanctions for the alleged violation in question. 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 records until the meeting takes place.

If a Respondent chooses to withdraw from the University subsequent to the filing of a report, the investigation and proceedings may continue and they may be found responsible in their absence. In these instances, the student will no longer be eligible to register or attend classes, reside on campus, use University facilities, and may not be on campus for any reason(s).

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 have an Advisor;
11. The right to be free from retaliation for participating in the University's investigation and fact-finding process; and
12. The right of appeal consistent with the provisions of this Code.

Rights of the Complainant

The Complainant will be entitled to exercise the following procedural rights when pursuing a complaint against another student for alleged violations of the Code of Student Conduct:

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 have an Advisor;
9. The right to be free from retaliation for filing a complaint or participating in the University's investigation and fact-finding process; and
10. The right of appeal consistent with the provisions of this Code.

VOLUNTARY RESOLUTION PROCESS

Once the University has taken appropriate steps to investigate, which may depend on the specific facts and circumstances of the matter, and the Complainant has decided to pursue the complaint, either the Complainant or the Respondent may request voluntary resolution in lieu of disciplinary resolution. All requests for voluntary resolution must be in writing. The parties are not required to attempt voluntary resolution, and voluntary resolution is not appropriate for all types of alleged conduct. The University shall determine if the matter is eligible for voluntary resolution.

If the University has determined the matter is eligible for voluntary 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 voluntary 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 voluntary resolution process by providing written notice to the designated University official. The University reserves the right to discontinue the voluntary resolution process: if information becomes available which makes the matter ineligible for voluntary 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 voluntary 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 voluntary or disciplinary resolution. The voluntary 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.

PROCEDURAL OPTIONS AND PROCESS FOR DISCIPLINARY RESOLUTION

Disciplinary resolution of alleged violations of the Sexual Assault, Sexual Harassment and Sexual Misconduct Policy will occur by administrative action, administrative review, or a Conduct Review Board as determined by the Conduct Review Officer in consultation with appropriate University officials. This determination will be based on: the seriousness of the alleged violation(s); the seriousness of potential disciplinary outcomes; the complexity of the facts of the case; and whether the Respondent has accepted responsibility. The Conduct Review Officer will endeavor to ensure fairness to all involved and issue sanctions accordingly.

All parties involved in a disciplinary proceeding are required to keep the information learned in preparation for the proceedings and at the proceedings private. Consistent with the Family Educational Rights and Privacy Act (FERPA) regulations, Conduct Review Board members may not share any copies of documents unless otherwise required by the law. All copies provided must be returned to the University at the conclusion of the proceeding and any appeals.

If the Complainant and/or the Respondent intend to have their Advisor 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 business days prior to the meeting.

1. Administrative Action

If a Respondent admits responsibility and the facts of the case are not in dispute, the Respondent will be sanctioned accordingly by the Conduct Review Officer. The Conduct Review Officer will provide both parties notice of the sanction(s) imposed. Acceptance of responsibility may be rejected by the Conduct Review Officer. Respondents who accept responsibility do not waive their right to appeal for review of the sanction as outlined below.

2. Administrative Review

Solely to the extent permitted by applicable regulations, if a Respondent denies responsibility the matter may be adjudicated through an administrative review by the Conduct Review Officer as determined by the Conduct Review Officer in consultation with appropriate University officials. The Conduct Review Officer will meet with the Complainant and Respondent, separately, to explain the process. The investigative report is reviewed in advance and will serve as evidence in the proceedings. Both parties will have notice of the proceedings, the opportunity to review the investigative report in advance, and the opportunity to present relevant information and/or witnesses to the Conduct Review Officer. The Conduct Review Officer will follow the general procedures outlined for the University Conduct Review Board in conducting this proceeding. The role of the Advisor will follow the guidelines as outlined for the University Conduct Review Board. The Conduct Review Officer will determine responsibility and render a decision as to what sanctions, if applicable, may be implemented. The Conduct Review Officer will provide both parties notice of the sanction(s) imposed. Both parties have the right to appeal as outlined below.

The Conduct Review Officer may at any time refer the matter to a Conduct Review Board after consultation with appropriate University officials.

3. Conduct Review Board

As an institution of higher education, the University 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 a chair of the Board, who is normally an attorney (Chair), 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. All members of the Board shall receive appropriate training on the dynamics of sexual assault, sexual harassment or other sexual misconduct prior to serving on the Board of any case involving such allegations.

The Chair shall actively participate in Board proceedings, ask questions, run the proceedings, advise the Board on procedural and legal issues and draft the decision 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 be present during the proceedings to provide assistance to the Board.

Conduct Review Board Procedures

The Conduct Review Officer will inform the Complainant and Respondent of the Board's procedures and the date and time of the proceedings. 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.

A Complainant, and/or a Respondent participating in a Conduct Review Board proceeding may be accompanied by an Advisor of their choosing. The Advisor may include legal counsel. If the parties wish to be accompanied by an Advisor during Conduct Review Board proceedings, they must inform the Conduct Review Officer, in writing, a minimum of two business days in advance of the proceeding and indicate the name and contact information for the Advisor.

The Advisor's role is limited, as more fully set forth below, but may include providing support, guidance or advice to the involved student before and during the proceeding and submissions of questions in the hearing solely in compliance with the Board's procedures and the University's policies, procedures and Code of Conduct.

The Advisor is not entitled to directly address the Conduct Review Officer, the other party or parties, or the witnesses. The student and their Advisor may confer at reasonable times during the proceeding, and they are permitted to submit written questions, including, without limitation, cross-examination questions, to the Board Chair, which may be posed to other parties or witnesses during the proceeding at the Chair's discretion. The Advisor may not otherwise address specific questions, responses, or statements to individuals present at the proceedings. Violations of the guidelines will normally result in a warning being issued to the Advisor by the Chair, or the Conduct Review Officer. Disruptive, threatening, intimidating, or uncivil behavior and/or repeated violations shall result in the Advisor being asked to leave the proceedings.

The Complainant and the Respondent, and/or their respective Advisor, may present relevant statements concerning the alleged violation(s) at appropriate times as determined by the Chair, 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 at least five business days prior to the commencement of the proceedings. During the proceedings, the Respondent, the Complainant, the Advisors 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 in writing by the Respondent and/or Complainant, and/or their respective Advisor, to be answered by each other or by other witnesses. In such instances, those questions will be directed to the Chair rather than to the witness directly. The Chair 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 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. Evidence of character will not be considered by the Board in making factual determinations.

In general, a party's prior sexual history is not relevant and will not be admitted as evidence or raised on cross-examination at a proceeding. Under limited circumstances, however, a prior consensual relationship between the parties may be deemed relevant based on the attendant facts and circumstances. In addition, evidence of pattern of similar conduct against the 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 advance of the proceedings by advising the Conduct Review Officer in writing. 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.

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. The Chair will provide the written findings of fact and determination 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 and notify both parties separately and nearly simultaneously of the sanction imposed. The final results of the disciplinary process will be provided in writing to both the Complainant and the Respondent. Both parties have the right to appeal as outlined below.

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

In situations involving multiple complaints pending against the same Respondent, the University will typically adjudicate each complaint in a separate proceeding unless the University determines the complaints involve a pattern of substantially similar behavior or conduct by the Respondent. The University also has discretion, but not the obligation, to solicit and consider the input of the parties regarding the consolidation of proceedings.

If, during the course of the proceedings, further violations of the Code of Student Conduct become apparent, the Board may recommend that such alleged violations be considered as a separate case.

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

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 during disciplinary proceedings;
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.

Sanctions for Violations of the Code

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.

The following disciplinary sanctions 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.

Non-Reportable Sanctions

The following sanctions provide notice to a student that a particular action or behavior is in violation of University policies, and therefore unacceptable. Continuation of similar behavior or future violations may result in more severe disciplinary action, including Reportable Sanctions. Non-Reportable 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 a particular action or behavior is in violation of University policy, and that future violations may be cause for additional disciplinary action. This notification is typically delivered via University email and requires no in-person meeting with a Conduct Review Officer.

Verbal Warning

A Verbal Warning is an official notice to a student that a particular action or behavior has violated the standards and expectations of the University. Future violations will likely result in additional disciplinary action.

Housing Status Advisory

A Housing Status Advisory is an official notice to a student that a particular action or behavior has put their on-campus housing status in jeopardy. Future violations of University policies may result in a disciplinary room change, restrictions on housing selection, ineligibility to participate in a housing lottery, loss of campus residency, or more severe sanctions.

Probationary Warning

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

Reportable Sanctions

The following sanctions are typically the outcome of serious or repeated violations of the Code of Student Conduct. These sanctions impact a student's disciplinary status with the University, as well as impose other restrictions and/or conditions of membership. Reportable Sanctions are disclosed to authorized external third-parties for a stated period of time, in accordance with the Disciplinary Records policy.

Disciplinary Probation

Disciplinary Probation is a defined period of time during which a student is not in good disciplinary standing and serves as an official notice that a student's continued membership at the University is in jeopardy. Additional offenses or violations of 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 and serves as an official notice that a student's continued membership at the University is in jeopardy. 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 offenses or violations of 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.

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.

Other Disciplinary Measures

In conjunction with 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. **Disciplinary Fines:** Payment by the student of reasonable monetary fines to the Bursar's Office. These monetary payments may be for punitive purposes or for purposes of restitution because of damage to persons or property, or misappropriation of property.
2. **Disciplinary Residence Hall Room Change:** An action which requires a student to vacate their current room and relocate to another room because of disciplinary reasons.
3. **Restrictions on Housing Selection:** An action which may exclude a student from participation in a particular housing lottery, or affect his or her ranking within a particular lottery, or affect eligibility to live in certain residence halls.
4. **Exclusion from University Property, University Buildings, University Events, Intramural Sports, Extracurricular and/or Residence Hall Activities** for a stated period of time.
5. **Community Service:** An action that requires a student to give a specific number of hours of uncompensated service to some task 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.
6. **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.
7. **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, and anger and behavioral management classes.

8. Loss of Campus Residency: An action which excludes a student from residence on campus, either on a temporary or permanent basis.
9. 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.
10. 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.
11. 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. 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.

Grounds for Appeal

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

Appeal for New Disciplinary Proceedings

1. Procedural Defect.

A material procedural defect in the original disciplinary proceeding;

2. New Evidence.

New material evidence that was not available, through no fault of the appealing party, at the time of the original disciplinary proceeding; or

Appeal for Review of Sanction

3. Review of Sanction.

The Respondent may appeal that sanctions imposed were disproportionate to the violation. The Complainant may appeal the sanction on grounds that it does not restore or preserve the Complainant’s access to the University’s programs or activities.

Process to Appeal

The Respondent and the Complainant may request an appeal within three (3) business days from the time of notification of the decision and/or sanction, whichever is later, by the Conduct Review Officer.

Appeals must be from the Complainant and/or Respondent, in writing, signed by the Complainant and/or Respondent and submitted to the Dean of Students. The appeal shall consist of a concise and complete statement setting 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 two (2) business days of the filing of an Appeal.

1. If the Appeal is determined to be based on appropriate grounds and alleges a Procedural Defect 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 Defect 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 eight (8) business days of the original appeal being filed.

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

SEXUAL HARASSMENT COMPLAINT PROCEDURE

Informal Procedures for Resolution of Complaints Against Non-Students

Except for instances of sexual assault, University community members may choose to attempt informal resolution of other complaints of sexual harassment, but are not required to do so. The University has many offices and individuals who may be able to provide counseling, support or advice for a person who believes that he or she is the victim of sexual harassment. For more information on available confidential and non-confidential campus and community resources and how to make contact with each, see the Sexual Assault, Sexual Harassment and Sexual Misconduct Policy.

Formal Procedure for Resolution of Complaints Against Non-Students

The following procedures may be invoked for the formal examination of the allegation.

In such a case, a formal, written complaint, utilizing the University's standard form, shall be submitted to the University Sexual Harassment Complaint Officer. The purpose of the complaint form is to assist the complainant in formulating a concise statement of their concern and to assist the Complaint Officer to see the basic facts of the allegation, along with the complainant's requested action.

The complete Sexual Harassment Complaint Procedures can be found at <https://www1.villanova.edu/villanova/hr/policies/university/complaints.html>

In cases involving alleged harassment by one student against another student, the Complaint Officer will refer the matter to the Dean of Students Office for disposition under the Code of Student Conduct.

Sexual Harassment Complaint Officer

Kathleen Byrnes

Associate Vice President for Student Life Villanova University 202 Dougherty Hall

800 Lancaster Avenue

Villanova, PA 19085

Phone: 610-519-4550

Email: kathleen.byrnes@villanova.edu

Complaints of sexual assault are not governed by these procedures and instances of sexual assault shall be promptly reported to a Sexual Assault Resource Coordinator, the Public Safety Office, local law enforcement and/or the Title IX Coordinator. Please see the [Sexual Assault, Sexual Harassment and Sexual Misconduct Policy](#).

Extraordinary Procedures

In exceptional circumstances, including circumstances which may involve sexual assault, sexual harassment, and other 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 Dean, the Dean may place a 'Dean of Students 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 Dean, with the concurrence of the Vice President for Student Life, after consulting with the General Counsel and considering all the circumstances, 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 himself, herself, 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 himself, herself, 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 VII (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 VII (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:

- 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 student organization may elect to have an administrative review by the Conduct Review Officer. In their discretion, 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 issue sanctions accordingly.

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, restitution for damages, and loss of facilities use.

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.