

# STUDENT HANDBOOK

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2024-2025

# GET IN TOUCH WITH US

## General Information

Frick Center | (630) 617-3500

## Academic Affairs

Goebel Hall | (630) 617-3051

## Advising Office

Goebel Hall | (630) 617-3450

## Athletics

R.A. Faganel Hall | (630) 617-3140

## Chaplain's Office

West Hall | (630) 617-3360

## Counseling and Health Services

Lower Level, Niebuhr Hall | (630) 617-3565

## Equity and Inclusion

Lower Level, Niebuhr Hall | (630) 617-3407

Frick Center | (630) 617-3389

## Housing and Residence Life

West Hall | (630) 617-3150

## Learning Center

A.C. Buehler Library | (630) 617-3155

## Public Safety

Lehmann Hall | (630) 617-3000

## Registration and Records

Goebel Hall | (630) 617-3250

## Russell G. Weigand Center for Professional Excellence

A.C. Buehler Library | (630) 617-3460

## Student Affairs

Frick Center | 630-617-3187

## Student Financial Services

Goebel Hall | (630) 617-3015

## Student Involvement

Frick Center | (630) 617-3189

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# A MESSAGE FROM THE VICE PRESIDENT FOR STUDENT AFFAIRS

Dear Elmhurst Student:

Welcome to Elmhurst University!

I encourage you to make the most of your time at Elmhurst University. Work hard in the classroom. Be present and actively involved in your classes and be willing to expand your horizons. Complement your learning in the classroom with the large array of out-of-class opportunities for student involvement. Be willing to step outside of your comfort zone.

Student Affairs at Elmhurst University seeks to engage students in experiences that broaden the mind, strengthen the body, and inspire the spirit. The opportunities for such experiences abound here at Elmhurst. In collaboration with student leaders, the Division of Student Affairs aims to enrich the lives of students through meaningful engagement in student organizations, campus activities, community and civic engagement, recreation, and leadership development. You will find that campus life is full of opportunities for involvement, and you are sure to find a few that capture your attention.

The opportunities provided for you at Elmhurst are matched by the high expectations the University maintains for members of our community. The policies and procedures outlined in this handbook will provide you with information critical to ensuring your responsible membership in the Elmhurst University community.

As you become involved on campus, I challenge you to develop your unique talents, to lead others with integrity, to celebrate unique styles, and to contribute to the betterment of our community and society. Student leaders are instrumental in shaping and sustaining a vibrant, responsible, and friendly campus ethos. Reach out and become involved! Your college experience can be some of the best years of your life. You are a part of the Elmhurst University family. This family, along with your personal family, will enable you to go far beyond your dreams if you embrace it.

I encourage you to learn about the different opportunities for growth and development. The Student Affairs team is happy to meet you, and we can be found in the Frick Center whenever you need us. I hope you have a great year.

Go Bluejays!



Dr. Phil Riordan  
Vice President for Student Affairs

# MISSION AND CORE VALUES

## MISSION

Elmhurst University inspires intellectual and personal growth in our students, preparing them for meaningful and ethical contributions to a diverse, global society.

## VALUES

### Intellectual Excellence

We promote intellectual freedom, curiosity and engagement; critical and creative inquiry; rigorous debate; innovative thinking and integrity in all endeavors. We ignite a passion for learning.

### Professional Preparation

We integrate professional preparation with a rigorous liberal arts foundation that prepares students for a successful, meaningful and fulfilling life.

### Community

We build a welcoming community that values and embraces diversity and inclusion. We achieve this through mutual respect, compassion for others, honest and open communication, and fairness and integrity in all that we do.

### Social Responsibility

We respect the dignity of every individual and promote responsible citizenship and civic engagement. We advocate for social justice on local, national and global levels. We act on our social responsibilities and empower others to do the same.

### Stewardship

We are stewards of the human, fiscal and physical resources entrusted to us. We are accountable to one another for the quality of our community, the strength of our finances, and the utility and beauty of our campus as a place of intellectual engagement and personal growth. We pursue innovations that respect the environment and foster sustainability in the management of our resources.

### Faith, Meaning and Purpose

We are grounded in our individual traditions and those of the United Church of Christ, and are committed to the development of the human spirit in its many forms through dialogue, inquiry and service.

## CODE OF ACADEMIC INTEGRITY

### STATEMENT OF POLICY

Elmhurst University is a community of scholars. Such a community places the highest value on academic honesty and integrity. Therefore, Elmhurst University's Code of Academic Integrity is designed to ensure:

1. A fair academic environment where students are evaluated on the scholarly merits of their work.
2. An academic environment where personal integrity is fostered.
3. An understanding of standard academic practices when formulating ideas, conducting research and documenting resources.

It is the responsibility of each student to know and understand this academic integrity policy. There are general campus-wide definitions of academic honesty as well as departmental guidelines, which are articulated in individual course syllabi. Students are responsible for educating themselves on this matter since sanctions for academic dishonesty may be severe. Thus, Elmhurst University students are expected to act honestly in all academic work.

### GUIDELINES AND COMMUNITY EXPECTATIONS

The community expectations for academic integrity prohibit the following dishonest academic behaviors:

1. **Cheating:** Intentionally obtaining or attempting to use unauthorized materials or information (notes, texts or study aids) or unauthorized help from another person (looking at a test paper, asking a question during an exam) in any work submitted for evaluation toward academic credit including examinations, quizzes, laboratory exercises or other assignments.
2. **Fabrication:** Intentional and unauthorized falsification, including invention or copying of data, practicum experience, research or laboratory findings, or bibliographic references or citations in any academic course work.
3. **Collusion:** The facilitation of academic dishonesty by intentionally or knowingly providing or attempting to provide any form of unauthorized help to students in violation of this code.
4. **Plagiarism:** Representing someone else's work from any source, including the internet, as your own or providing materials for such a representation. To avoid plagiarism, students must acknowledge the source whenever:
  - a. Quoting another person's actual words
  - b. Using another person's idea, opinion or theory
  - c. Using others' facts, statistics or other illustrative material—unless the information is common knowledge

It is the responsibility of individual faculty members and/or academic departments to determine their specific expectations of academic integrity in their classrooms. It is the responsibility of students to consult their faculty members for clarification on any of the above standards. The institutional community standards serve as definitional guidelines; however, individual faculty members and/or academic departments may provide their own definitions of dishonest behavior in recognition of the full range of teaching styles on campus. These definitions can be found on the course syllabus.

## **IMPLEMENTATION**

A faculty member has the responsibility and authority to respond to academic dishonesty in their classroom. The faculty member should be familiar with the Code of Academic Integrity and inform students of the rules of conduct that govern unique or unfamiliar situations. When determining a violation of the Code of Academic Integrity, a faculty member should confront the student with the dishonest behavior when there is convincing evidence that the faculty member has seen or heard it. If a faculty member has reason to believe a student has acted dishonestly, the faculty member will confront the action in a timely manner by taking the following steps:

1. Depending on departmental policy, the faculty member may consult with their department chair and/or program director, without divulging the student's name. The faculty member will decide on the action to be taken and the appropriate procedure to follow.
2. The faculty member will meet with the student to discuss the allegations. Upon meeting with the student, the faculty member must determine if a violation of the Code of Academic Integrity did occur. If the student is found not to be responsible for the allegation, the matter is dropped.
3. If the student is found responsible for a violation of the Code of Academic Integrity, the faculty member will impose any sanction in accordance with departmental guidelines, information articulated in the syllabus, or one of the following sanctions:
  - a. A warning with no penalty.
  - b. Provide a learning opportunity by having the student re-do the assignment without any other penalty attached.
  - c. Consider it "poor work" and grade accordingly with a reduced grade or zero/F for the assignment.
  - d. Lower the final course grade by one letter grade.
  - e. Receive an F for the course and lose the opportunity to withdraw from the course.
4. The faculty member will immediately notify the student via University email of the allegations, the determination of responsibility, the sanction given, and the opportunity to seek mediation or appeal as outlined below.
5. The faculty member will submit a formal report of the incident to the Office of Student Affairs and the Office of Academic Affairs via the Maxient Academic Integrity report form. This form is available at [www.elmhurst.edu/IncidentReport](http://www.elmhurst.edu/IncidentReport) and the student's Navigate profile page. A copy of the notification email to the student should be attached with this submission by the faculty member. This formal report initiates the Academic Misconduct Process outlined in a subsequent section.

## **MEDIATION AND APPEAL PROCESS**

Elmhurst University faculty recognize the legitimate concerns of students. Students have the right to be treated fairly and with respect, to know when they are suspected of dishonest action, and to appeal the accusation. The protection of these rights of students ought to occur within the context of the student-teacher relationship where possible. However, if the issue cannot be resolved between the accused student and faculty member, two avenues of resolution are available:

### **1. Mediation**

An accused student who disagrees with the faculty member's judgment shall have the right to request the appropriate department chair to serve as a

mediator and convene a meeting with the student and the faculty member to discuss the violations. The request for mediation must be made via email to the department chair within 10 business days of receiving notification of Code of Academic Integrity violations from a faculty member. The role of the mediator shall be to help both the student and the faculty member understand the point of view of the other, but the right to determine a sanction shall remain with the course instructor. At the conclusion of the mediation, the faculty member will submit a formal report of any changes in sanctions to the Office of Student Affairs and the Office of Academic Affairs via the Maxient Academic Integrity report form. If the course instructor is also the department chair, the student should email a request for mediation to the Office of Academic Affairs at [academicaffairs@elmhurst.edu](mailto:academicaffairs@elmhurst.edu) to determine another mediator. If the student is not satisfied with the mediation process, they may also seek an appeal within 3 business days of the mediation meeting.

*and/or*

## **2. Appeal**

The student has the right to appeal a Code of Academic Integrity violation if the student is not satisfied with the decision of the faculty member and they have already held a mediation with the department chair. An appeal must be based on one of the following grounds:

1. New evidence that was not presented at the mediation meeting.
2. Procedures outlined in the Student Handbook and/or course syllabus were not followed.
3. The sanction given was not deemed appropriate for the offense.
4. The student believes no dishonest act occurred.

Within three (3) business days of receiving a decision of an academic integrity violation from a faculty member or within three (3) business days of completing a mediation, the student must submit an appeal letter in writing to the Office of Academic Affairs at [academicaffairs@elmhurst.edu](mailto:academicaffairs@elmhurst.edu). Failure to submit an appeal within this period waives the right to an appeal and makes the faculty member's decision final. The appeal letter must address the grounds for appeal and include a personal statement explaining why the student is challenging the decision, and any relevant documentation that substantiates their request for an appeal.

An Appellate Board will then be convened. It will consist of the Vice President for Academic Affairs or their delegate, who shall chair the board; the Vice President for Student Affairs or their delegate; two faculty members; and two students selected in consultation with the chair of the Academic Standings Committee.

The student may have an advisor present at the appeal meeting. The advisor may be any person the student chooses, and their role is limited to consulting privately with the student. The advisor may not present evidence, speak for the student, or otherwise directly participate in the meeting. The involvement of an advisor may not cause undue delay of the meeting and if an advisor conducts themselves in a manner inconsistent with these expectations, the University official directing the meeting may excuse the advisor and the meeting may continue without the advisor's participation.

If the Appellate Board finds that the academic integrity violation was imposed in a manner that was inconsistent with policies stated in the Student Handbook/syllabus, inappropriate in the Elmhurst University academic setting, or that critical evidence was disregarded, the Appellate Board may remove the



violation from the student's records or change the sanction to one the Board deems appropriate as dictated by departmental policies, the Student Handbook and/or the syllabus, and any documented and objective evidence provided. The decision will be provided in writing to the student, faculty member, and others who need to know the results of the meeting. The decisions of the Appellate Board shall be final.

#### **APPENDIX\***

##### **Cheating**

Intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise.<sup>1</sup>

##### Comments<sup>2</sup>

1. Students completing an "in class" or "take home" examination should assume that any external assistance (e.g., books, notes, calculator) is prohibited unless specifically authorized by the instructor.
2. Faculty members are expected to state in advance their policies and procedures concerning both "in class" and "take home" examinations as well as the use before examinations of shared study aids, examination files and related materials and forms of assistance.
3. Substantial portions of the same academic work may not be submitted for credit or honors more than once without permission of the current instructor.
4. Students must not allow others to conduct research or prepare any work for them without advance authorization from the instructor. This comment includes, but is not restricted to, a commercial term paper companies.

##### **Fabrication**

Intentional and unauthorized falsification of any information or citation in an academic exercise.

##### Comments

1. "Invented" information may not be used in any laboratory experiment, practicum or other academic exercise without authorization from the instructor. It would be improper, for example, to analyze one sample in an experiment and covertly "invent" data based on that single experiment for three more required analyses.
2. One should acknowledge reliance upon actual sources from which cited information was obtained. For example, a writer should not reproduce a quotation found in a book review and indicate that the quotation was obtained from the book itself.

*\*A variation of this document was developed by Gary Pavela and Irving Faber and is now being used at Colgate University in Hamilton, New York and the University of Maryland in College Park, Maryland.*

##### **Facilitating Academic Dishonesty**

Intentionally or knowingly helping or attempting to help another to violate any provision of the Code of Academic Integrity.

##### Comment

1. For example, one who provides another with a specific answer to a homework assignment while having reason to know that such assistance was either unauthorized or would not be acknowledged would be in violation of this section.

## Plagiarism<sup>3</sup>

Plagiarism consists of “the deliberate adoption or reproduction of ideas or words or statements of another person as one’s own without acknowledgment.”<sup>4</sup> The University subscribes to the statement on plagiarism, which appears on page 9 of William Watt’s *An American Rhetoric*.

A student must give due credit to the originality of others and honestly pay their literary debts. They should acknowledge indebtedness:

1. Whenever they quote another person’s actual words;
2. Whenever they use another person’s idea or opinion or theory;
3. Whenever they borrow facts, statistics or other illustrative material— unless the information is common knowledge.

## Examples of Plagiarism

### a. Direct Quotation

Original Source: “The child’s surroundings, we are told, were devoid of artistic luxury...there was an absence of frivolity and a distaste for all that is paltry and superficial.”

Student Paper: “The surroundings were devoid of artistic luxury and characterized by the absence of frivolity.” (no quotation marks or citation)

#### Comments

1. All “direct quotations must be placed in quotation marks and the source immediately cited in a footnote.”<sup>5</sup>
2. Direct quotations must be placed in quotation marks even if a footnote is used to indicate the source and page from which the quotation was obtained.
3. Proper footnote form can be found in manuals on style and arrangement recommended by each academic department.

### b. Paraphrase

Original Source: “The Cambodian incursion of April 1970 brought forth renewed observations from constitutional scholars...that the war making power of Congress has been eroded.”

Student Paper: “The war in Vietnam and more specifically the Cambodian invasion in the Spring of 1970, evoked considerable observation from students, constitutional scholars, public observers of the political process and Congressmen that the war making power of Congress has been eroded.” (no citation; no quotation marks for the last phrase)

#### Comments

1. Acknowledgment is required when material from an original source is rewritten either in whole or in part in your own words.<sup>6</sup>
2. Properly acknowledged paraphrases may be used. For example, one might state, “to paraphrase Lock’s comment...” and conclude with a footnote identifying the source.<sup>7</sup>

### c. “Borrowed” Facts or Information

Original Source: “In any of the defined situations, the President may commit the Armed Forces to combat for a period not to exceed thirty days.”

Student Paper: “Except in certain designated emergency situations, the President may send the military into combat only for up to thirty days.” (no citation)

## Comments

1. Facts that are not common knowledge must not be “borrowed” from any source without immediate acknowledgment.
2. Examples of “common knowledge” might include the names of leaders of prominent nations, basic scientific laws, etc. In case of doubt, always acknowledge indebtedness.
3. “...When a number of contiguous sentences take their special information from one place, one footnote usually is sufficient for all of them.”<sup>8</sup>
4. “Sometimes the materials from an outside source are extremely broad and contribute only to your general understanding of the subject. If so, acknowledgment by means of a bibliographical note at the end is sufficient...”<sup>9</sup>
5. General conversations with others need not to be acknowledged unless such conversations produce a specifically identifiable contribution to your paper.<sup>10</sup>
6. A footnote of acknowledgment might read: “I wish to acknowledge my indebtedness to John Doe for this concept (personal conversation, May 1975).”

## Reference Sources

1. The term “academic exercise” includes all forms of work submitted for credit or honors.
2. Comments provide explanations and illustrative material, but do not necessarily exhaust the scope of any section.
3. This and the preceding titles are adapted from the Code of Academic Conduct at the University of Michigan (1973).
4. Hobart College Faculty Regulations (emphasis supplied).
5. *Sources, Their Use and Acknowledgment* (Dartmouth College, 1962): reprinted by Colgate University, p.6.
6. Adapted from Source, p.5.
7. Adapted from “A Definition of Plagiarism” in *The Logic and Rhetoric of Exposition*, Revised Edition, by Harold C. Martin and Richard Ohmann (Holt, Rinehart and Winston, Inc. 1963). Reprinted in the Wesleyan University pamphlet *Plagiarism*, (1974), p.5.
8. Sources, p.11.
9. Sources, p.5.
10. Adapted from the Wesleyan University publication *Plagiarism*, pp.6-7.

## ACADEMIC REGULATIONS

Elmhurst University’s regulations on grading, attendance, registration and all other areas of a student’s academic experience are outlined in detail in the *Elmhurst University Catalog*.

## ACADEMIC MISCONDUCT PROCESS

A formal report of a violation of the Code of Academic Integrity triggers the academic misconduct process. This process is designed to supplement a decision made by a faculty member and encourages the student to foster their academic integrity through connections to academic campus resources or time away from the institution, if necessary.

### ***Notice and Scheduling***

Upon receipt of the formal report, the Director of Community Standards and/or their designee will send notice to the student via Maxient, the University's conduct software, that a violation of the Code of Academic Integrity has been documented within the student's academic misconduct record. Depending on the nature and severity of the violation and the student's prior history of academic integrity violations (if applicable), this notice will serve as one of the following:

1. A written warning, with no further action taken but a list of recommended campus resources will be provided to the student to utilize to avoid future violations of the Code of Academic Integrity.
2. A request to schedule an academic misconduct meeting with the Director of Community Standards and/or their designee and the Associate Dean for Academic Success to discuss the incident further and determine if the student should be placed on University probation, suspended, or expelled.

Additionally, depending on the nature and severity of the violation and the student's prior history of academic integrity violations (if applicable), the student may not be eligible to withdraw from the course in which the violation occurred.

Upon receipt of a notice letter in which a meeting is requested, the student is expected to schedule or confirm the given date and times of their assigned academic misconduct meeting within five (5) business days after receiving the notice letter. Should the student fail to schedule the meeting within five (5) business days after receiving the notice letter or fail to attend their academic misconduct meeting without prior notice, the student will receive a second and final notice letter and have an additional five (5) business days from the receipt of that letter to schedule and appear at an academic misconduct meeting. Should the student still fail to do so, the Director of Community Standards and/or their designee and Associate Dean for Academic Success may make a decision regarding outcomes of the academic misconduct process without the student's participation. Failure to schedule or attend an academic misconduct meeting after two notices results in forfeiting the opportunity to appeal the outcome of the meeting.

### ***Format***

An academic misconduct meeting generally proceeds in the following format:

- Introduction of all parties present
- Review of the notice letter, including the nature of the policy violations and definitions of the appropriate policies
- Personal account of the incident on behalf of the student
- Review of the formal report submitted by the faculty member
- Opportunity for the student to discuss the formal report
- Invitation to discuss impact caused by the incident and offer recommendations for ways to improve academic success (usually through academic integrity outcomes)
- Opportunity for the student to share any final remarks
- Information about the appeal process

### ***Deliberation, Decision, and Outcomes***

The Director of Community Standards and/or their designee and Associate Dean for Academic Success will use all the information shared in the meeting, the nature and severity of the violation, and the student's prior history of academic integrity violations (if applicable) to determine appropriate academic misconduct outcomes. In some academic misconduct meetings, the Director and Associate Deans are able to determine appropriate academic misconduct outcomes with the student during the meeting. In others, they may take up to three (3) business days to consider all information before notifying the student of the outcome(s).

Within three (3) business days after the meeting, the Director of Community Standards and/or their designee will notify the student of the academic misconduct outcome(s) in writing at their Elmhurst University email address. The letter will contain a summary of all information related to the Code of Academic Integrity violation case, a description of the assigned academic misconduct outcome(s) and appropriate deadlines, a rationale for the given outcome(s), and a summary of the appeal process.

Academic misconduct outcomes can include the following:

- Written warning
- Required attendance at educational workshops, tutoring, or academic coaching
- Meeting with a University administrator
- University probation
- University suspension
- University expulsion/dismissal

Failure to complete academic misconduct outcomes can result in a subsequent referral to the student conduct process for contempt of the conduct process or its authorities.

If a student is suspended or dismissed, they will be withdrawn from the University effective on the date included in their outcome letter. Suspended or dismissed students receive no academic credit for their currently enrolled term and are fully responsible for all appropriate financial obligations.

### ***Appeal Process***

Within three (3) business days of receiving an academic misconduct outcome, the student must submit a letter in writing to the Vice President for Academic Affairs. Failure to submit an appeal within this period waives the right to an appeal and makes the decision final. The appeal letter must address the reason for appeal and include a personal statement explaining why the student is challenging the decision, and any relevant documentation that substantiates their request for an appeal.

The Vice President for Academic Affairs will review a properly completed appeal and determine whether there is sufficient information to modify the academic misconduct outcome. The Vice President may or may not request to meet with the student or other relevant individuals before making a final decision. The Vice President will either affirm the original outcome(s) or modify or remove the original outcome(s). The student will be notified in writing at their Elmhurst University email address within three (3) business days of submitting their appeal of the appeal decision. The appeal decision made by the Vice President for Academic Affairs is final within the University and is not subject to further review.

### **DISPUTED FINAL GRADES**

The normal presumption in the administration of grades at Elmhurst University is that the instructor alone is qualified to evaluate the academic work of students in their courses and to assign grades to that work. For this reason, questions regarding an instructor's assessment of the quality of academic work are not normally subject to review. However, when a student believes that a grade was assigned in a manner that was arbitrary or inappropriate in the Elmhurst University academic setting, or that crucial evidence was not considered, the student shall follow the procedures outlined below.

A grade dispute must be brought in writing to the instructor by the end of the fifth week following the term in which the disputed grade was given. It is the

responsibility of the student to initiate the process even if this must be done initially in writing rather than in person.

*Establishing a Claim for a Disputed Grade Grievance and Organization of the Hearing Board*

- When a final course grade is disputed, the student and the instructor should meet to discuss the matter and seek an appropriate resolution. If the disputed grade is not resolved, the student may forward the matter to the chair of the department of the instructor and/or the program director. If the attempt to settle the issue fails at this level, it moves to the dean of that school. If the disputed grade occurred in the School of Business or School of Education, this step moves to a School Dean in another school in consultation with the Associate Dean for Academic Success.
- The student should submit a document indicating the student's position and the rationale for the claim. The student must also provide whatever documentation is needed to support the claim. The instructor may do the same. The School Dean meets with both the instructor and the student and confers with the chair of the department. In cases in the School of Business or School of Education, which are conducted by a School Dean outside that school, the School Dean confers with the Associate Dean for Academic Success. If after this investigation and review, the School Dean finds merit in the appeal, they may initiate the next level of action on the dispute, otherwise they will inform the student that the disputed grade will remain as reported.
- The next level of action is the convening of a Hearing Board, which will consist of the Vice President for Academic Affairs or their delegate, who shall chair the board; the Vice President for Student Affairs or their designee; two faculty members; and two students selected in consultation with the Chair of the Academic Review Board. The parties directly involved may each have one advisor present. The advisor may be any person each party chooses, and their role is limited to consulting privately with the party. The advisor may not present evidence, speak for the party, or otherwise directly participate in the hearing. The involvement of an advisor may not cause undue delay of the hearing, and if an advisor conducts themselves in a manner inconsistent with these expectations, the University official directing the hearing may excuse the advisor and the hearing may continue without the advisor's participation. The Chair shall designate a secretary or invite an administrative assistant who is responsible for recording the salient issues and the actions of the Hearing Board.
- The parties involved will be asked to submit written arguments to be circulated among members of the Hearing Board. It is expected that the parties in disagreement appear before the Board, but the hearing will proceed despite a failure to appear. When all presentations are complete, the Board, in executive session, shall reach a resolution of the dispute.
- If the Hearing Board finds that a grade has been assigned in a manner that was inconsistent with policies stated in the syllabus, or inappropriate in the Elmhurst University academic setting, or that critical evidence was disregarded, the Hearing Board may direct the Registrar to change the grade to one the Board deems appropriate as dictated by the documented and objective evidence provided. The decision shall be represented in writing to the involved parties and others who need to know the results of the hearing. The chair shall maintain a file of relevant material for a period of at least two years.
- The decisions of the Hearing Board shall be final.

## **PROTECTED HOUR POLICY**

To encourage and facilitate students' co-curricular involvement, the University policy forbids the scheduling of academic courses between the hours of 11:40 a.m. – 12:50 p.m. on Tuesdays and Thursdays.

## **RELIGIOUS OBSERVANCE**

A student who is absent from class because of a religious holy day will be provided with the opportunity to make up the work of that class within a reasonable amount of time after the absence. The student will not be penalized for the absence. It is the responsibility of the student to inform their faculty member prior to the religious holy day to be observed of their intention to be absent.

## **STATEMENT OF STUDENT ACCESSIBILITY**

The Office of Student Accessibility Services provides accessible programs and reasonable accommodations for students with a range of disabilities. For more information on support services offered through the Office of Student Accessibility Services and documentation required, visit [elmhurst.edu/SAS](http://elmhurst.edu/SAS) or email [accessibility.services@elmhurst.edu](mailto:accessibility.services@elmhurst.edu).

## **PERSONAL CARE ATTENDANTS**

The University understands that some students may have a need for a Personal Care Attendant (PCA) who can assist them with daily needs. PCAs are approved by the Director of Student Accessibility Services. For more information on support services offered through the Office of Student Accessibility Services and documentation required, visit [elmhurst.edu/SAS](http://elmhurst.edu/SAS) or email [accessibility.services@elmhurst.edu](mailto:accessibility.services@elmhurst.edu).

## **GRIEVANCE PROCEDURE FOR DISABILITIES RELATED MATTERS**

Students who have compliance complaints regarding disability issues or who have been denied accommodations by the Access and Disability Services Director should follow the grievance procedures as listed below.

### ***Step One: Informal Resolution***

The student should attempt to work with the Student Accessibility Services Director informally to resolve the complaint. This attempt may serve to minimize the problem's impact on the student's current academic situation.

### ***Step Two: Formal Grievance***

If the informal resolution process is unsuccessful or if the student elects not to use it, a formal grievance may be initiated. All formal grievances should be submitted to the Office of Academic Affairs.

- A. The student may submit a written grievance within 30 days from the conclusion of the informal resolution process or, if the informal process is not utilized, within 30 days of the event that triggered the grievance. A written grievance must contain the following information:
  1. Name, Elmhurst University email address, and address of the person making the grievance
  2. A brief description of the grievance, including the name of the person(s) against whom the grievance is made, the dates of the alleged discrimination and any supporting evidence
  3. A summary of actions, if any, the student has taken to resolve the matter informally
  4. A specific statement of remedial action the student seeks
- B. Within 10 working days of receipt of the written grievance, an appropriate individual in the Office of Academic Affairs will meet with the student.

- C. A full investigation will be conducted by the Vice President for Academic Affairs or their designee within 60 working days. This investigation will include a gathering of all relevant evidence and afford all interested persons and their representatives an opportunity to present evidence or any other information relevant to the grievance.
- D. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the investigator named in item “C” and a copy shall be forwarded to the student.
- E. The student can request a reconsideration of the case in instances in which they are dissatisfied with the resolution. This reconsideration request shall be made within 10 working days and will be referred for a committee review. The committee shall consist of the Vice President for Academic Affairs, the Vice President for Student Affairs, two faculty members and two students selected in consultation with the chair of the Student Affairs Committee.

### **UNDERGRADUATE LEAVE OF ABSENCE**

Any student who requires time off from their academic program for personal or medical reasons, but who intends to return to the University within the next term, may request a leave of absence. A student may request a leave of absence by completing an Application for Leave of Absence form, available in the Office of Student Affairs. Graduate students, please see the Graduate Leave of Absence section below. Students applying for a leave of absence for personal reasons must request the leave prior to the last day of the first week of classes. Students are limited to one leave during their time at Elmhurst University. This leave is not to exceed 180 days. A student on a leave of absence is responsible for meeting their financial obligations to the University.

New students who have registered for classes but who have withdrawn from all their courses prior to the sixth day of class in the Fall or Spring terms may not take a leave of absence. They should contact the Office of Admission to discuss deferring their admission.

#### ***Process for Requesting a Leave of Absence***

1. Office of Student Affairs: Meet with the Director of Student Support Services and Intervention to complete the Application for Leave of Absence.
2. Office of Student Financial Services: Meet with Student Financial Services to protect future eligibility for scholarships, grants and/or student loans and regarding outstanding balances to a student account.
3. Office of Registration and Records: Meet with Office of Registration and Records to discuss the implications of interrupting enrollment.

#### ***Communication with Students on Leave of Absence***

All students are expected to check their Elmhurst University email address in a timely fashion while on leave. All official communication from Elmhurst University faculty and staff will continue to be sent to a student’s Elmhurst University email address. When a request for a leave of absence is approved, the student will receive a letter from the Office of Student Affairs outlining the process and procedure.

#### ***Returning from a Leave of Absence***

All undergraduate students returning from any type of leave of absence must complete a re-entry form before registering for classes and returning to Elmhurst University. The re-entry form can be obtained through the Office of Student Affairs. Reentry forms must be completed no later than 6 weeks prior to the first day of classes. Students should meet with their advisor prior to



re-entry to discuss course selection and a plan to return for the upcoming term. In some cases, a meeting with the Office of Student Affairs will also be required. If the student whose leave is approved does not return at the end of one term, the student will automatically be withdrawn from the University, with the withdrawal date being the date that the student began the leave of absence. Any outstanding account balance is immediately due in full. Students that have not attended another college since leaving Elmhurst University and have been enrolled at Elmhurst University within the last 5 years can submit the Program Reinstatement form found on the Office of Registration and Records website. Students that do not meet these requirements should re-apply through the Office of Admission.

### ***Graduate Leave of Absence***

A graduate student requesting a leave of absence is required to meet with the program director to complete the Application for a Leave of Absence. Once the request has been received, it will be sent to the Office of Academic Affairs, the Office of Student Financial Services and the Office of Registration and Records to complete the approval process.

New students who have registered for classes but who have withdrawn from all their courses prior to the sixth day of class in the Fall or Spring terms may not take a leave of absence. They should contact the Office of Admission to discuss deferring their admission.

Prior to re-entry, students should meet with their program director to discuss course selection and a plan to return for the upcoming term.

### ***Military Leave of Absence***

Any currently enrolled student going on active military duty must consult with the Veteran School Certifying Official in the Office of Student Financial Services. In partnership with the Office of Registration and Records, a determination will be made whether to withdraw from all registered courses or to request incomplete grades and complete the courses later. If the student needs to withdraw or take a leave of absence, the Offices of Student Affairs and Registration and Records will process the appropriate paperwork. Students receiving educational benefits through the military are advised to contact the School Certifying Official in the 34 Regulations and Services Office of Student Financial Services before withdrawal, as it may affect their benefits. For the complete Leave of Absence policy and required form, visit the University website or the Elmhurst University Portal.

### **WITHDRAWING FROM ELMHURST UNIVERSITY**

Should it be necessary for a student to withdraw from Elmhurst University, they must submit a [Withdraw Request](#) through the myElmhurst Portal. Students can contact the Office of Registration and Records at [regrec@elmhurst.edu](mailto:regrec@elmhurst.edu) with any questions. The effective date of withdrawal from the University is established by the Office of Registration and Records according to the date the paperwork was filed. If a student files before the deadline (10th week of class) a grade of "W" will appear on the transcript. After the end of the 10th week, withdrawal forms will not be processed until the completion of that term. No W's can be earned after the end of the 10th week and the grade earned in the course will be posted. When withdrawing from the University, students are responsible for all financial obligations incurred (please consult with the Office of Student Financial Services with any financial questions or concerns). A student who withdraws and attends elsewhere must reapply through the Office of Admission. A student that has not attended another institution since leaving Elmhurst and has been enrolled at Elmhurst University within the last 5 years needs to fill out a program reinstatement form found on the Registration and Records page of the website.

New students who have registered for classes but who have withdrawn from all of their courses prior to the sixth day of class in the Fall or Spring terms may not take a leave of absence. They should contact the Office of Admission to discuss deferring their admission.

### **POLICY FOR MILITARY ACTIVE DUTY**

Any currently enrolled student going on active military duty needs to consult with the Military Certifying Official to determine any potential impact on education benefits (if applicable).

Pursuant to 330 ILCS 60/5.2, a service member enrolled in an institution of higher learning who is unable, because of their military service, to attend classes on a particular day or days has the right to be excused and to reschedule a course examination administered on such day or days. The faculty and administrative officials shall make available to the service member an equivalent opportunity to make up any examination they have missed because of their military service.

For service commitments of longer durations where exam alternatives are not feasible, students should consult with class instructors and the aforementioned office to determine whether to withdraw from all registered courses or to take incomplete grades and complete the courses later. If the student needs to withdraw or take a leave of absence, the Offices of Advising and Registration and Records will process the appropriate paperwork. The student must provide a copy of the official military orders.

If the student takes incomplete grades for the current term, no tuition aid adjustments will be made to the student's account and the student will be given permission to extend payment of any outstanding balance due. If the term of active duty is extended beyond a reasonable period of time, as determined by the instructor and Registrar, the student's grades will be changed to W grades (withdrawal) and tuition charges will be adjusted so the student is not penalized financially for the withdrawal. Students presenting an original copy of their orders to the Office of Student Financial Services will be allowed to withdraw from current term courses and receive a full refund for tuition.

Students who live on campus and are required to report for military service will be released from housing and dining services contract obligations. Charges for housing and dining services will be prorated based on the date the student checks out of their room or apartment. Evaluation of the academic progress of students using military benefits to attend Elmhurst University is based on the Elmhurst University Academic Probation and Dismissal policy found in the Regulations and Services section of the *Elmhurst University Catalog*.

The rights set forth in this policy are in addition to any rights afforded to persons in military service with the State of Illinois or in federal active duty service pursuant to the orders of the President of the United States or the Governor under the policies of an Illinois public university, college, or community college.

# COMMUNITY STANDARDS

## STATEMENT ON COMMUNITY STANDARDS

Students are expected to engage in responsible conduct that reflects positively upon the University community and reflects good citizenship in the broader community. The University attempts to establish a climate that encourages ethical decision-making and student responsibility for individual and collective actions in an effort to maintain a safe and inclusive campus community. As such, students are expected to observe what is going on around them and respond to the best of their ability, which may include notifying University officials to influence a better outcome. Similarly, students are expected to report potential policy violations to the appropriate authorities, such as Community Standards, Public Safety, Housing and Residence Life, etc., either in person or through electronic reporting forms available at [elmhurst.edu/IncidentReport](http://elmhurst.edu/IncidentReport).

It is the responsibility of each student to comply with the community standards of our educational community, to interact in a civil manner with other members of the University community, and to respect the property of others. Student conduct, individual and that of student groups, is expected to be in keeping with the University mission and the missions of the respective areas or offices (Athletics, Student Involvement, Housing and Residence Life, International Student Services, etc.). The behaviors outlined below constitute violations of University rules, regulations, policies, and standards of conduct and will be subject to the conduct process.

The Elmhurst University Code of Conduct applies to behavior on and off campus, and the University reserves the right to pursue the conduct process for violations of law, the Code of Conduct, or other campus policies regardless of where the violations take place. Violations of local, state, or federal laws or regulations on campus may also result in the notification of appropriate law enforcement officials and the filing of criminal charges.

## CODE OF CONDUCT

### 1. Abusive and Intimidating Conduct

- a. Inflicting or intending to inflict bodily harm or physical abuse, battery, or assault on another person
- b. Engaging in threats, intimidation, harassment, coercion, verbal or emotional abuse, and/or other conduct which threatens or endangers the physical, emotional, or psychological health and safety of any person
- c. Harassing individuals or groups via electronic communication (including social media platforms, text messages, email, electronic apps, etc.)
- d. Being complicit in the infliction of physical, verbal, or emotional abuse toward another person or endangering the health and safety of another person

### 2. Alcohol

- a. Consuming or possessing alcohol while under the age of 21
- b. Purchasing alcohol for or distributing alcohol to individuals under the age of 21
- c. Possessing an open alcohol container in a public space
- d. Public intoxication on University property, at University-sponsored events, or off campus

- e. Severe intoxication resulting in concern for a student's wellbeing that requires medical transport

### **3. Compromising Fire Safety**

- a. Tampering with safety and/or fire equipment on campus
- b. Lighting of fires without advance approval from a University official, either indoors or outdoors
- c. Possessing or using self-balancing scooters, also known as hover boards, in any University building, including residence halls, houses, or other campus buildings
- d. Failing to evacuate a building when the fire alarm is activated

### **4. Dangerous Objects**

- a. Possession or use of firearms in violation of the Alcohol, Drugs, and Weapons Policy
- b. Possession of live ammunition
- c. Possession of other weapons capable of inflicting injury
- d. Unauthorized possession of hazardous chemicals
- e. Possession or use of fireworks, firecrackers, sparklers, or other explosives, or being in the presence of such items

### **5. Disruptive and Disorderly Conduct**

- a. Disruption of the University community or off-campus community
- b. Obstruction of teaching, research, administration, conduct proceedings, or other institutional activities

### **6. Drugs**

- a. Being in the presence of illicit drugs
- b. Possession of drug paraphernalia, including vaping/smoking items, food items, oils, creams or other substances which contain or are infused with any byproduct found in illicit drugs
- c. Possession or use of illicit drugs
- d. Manufacture, distribution, sale, production, or aiding in the sale or distribution of a controlled substance, drug paraphernalia, or other illicit drugs (including sharing or distributing prescription drugs)
- e. Severe impairment due to illicit drug use resulting in concern for a student's wellbeing that requires medical transport
- f. Possession of cigarettes, chewing tobacco, other tobacco products, e-cigarettes, and vapes while under the age of 21

### **7. Facility Use and Access**

- a. Unauthorized possession, use, or duplication of campus keys or access cards
- b. Unauthorized entry into any building, office, residence hall, construction site, or other University-owned or operated facility

### **8. Failure to Comply**

- a. Failure to uphold local, state, or federal laws or regulations
- b. Failure to comply with directions of institutional officials or law enforcement officers acting in performance of their duties
- c. Failure to identify oneself to institutional officials or law enforcement officers when requested to do so, including failing to provide

identification when requested to do so

- d. Contempt of the conduct process or its authorities, including the failure to complete sanctions

#### **9. Fraud and Dishonesty**

- a. Forgery or knowingly furnishing or providing false, misleading, or incomplete information to the institution or a University official
- b. Withholding relevant information from the institution, including previously attended institutions
- c. Alterations or use of institutional documents or instruments of identification with the intent to defraud
- d. Use, possession, manufacture, sale, or distribution of false identification (“fake IDs”), including possessing or using another person’s identification with fraudulent intent

#### **10. Gambling**

Participating in gambling, illegal wagering, bookmaking, and unauthorized games or contests of chance on campus, in residential facilities, or at official events sponsored by student organizations

#### **11. Hazing**

Elmhurst University defines hazing as any act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership on a team or in a group or organization.

The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts—they are violations of this policy. Elmhurst University prohibits conduct by an individual, team, organization, or group affiliated with the University that is in violation of Illinois law on hazing conduct or any hazing activity that threatens a person’s rights or self-respect, that disrupts community life, or that encourages the violation of local, state, or federal law or Elmhurst University Community Standards. Hazing is a demeaning and dangerous practice that has no legitimate purpose.

Conduct that can constitute hazing includes, but is not necessarily limited to:

- a. Actions that endanger the physical health, mental health, or safety of a student or other person
- b. Forced, coerced, or required consumption of any food, liquor, drug, or any other substance
- c. Forced, coerced, or required participation in physical activities, such as calisthenics, exercises, or so-called “games”
- d. Exposure to the weather
- e. Excessive fatigue resulting from sleep deprivation, physical activities, or exercises
- f. Assignment of activities that would be illegal or unlawful, or could be morally offensive to individuals
- g. Physical abuse, including but not limited to paddling; striking with fists, open hands, or objects; and branding
- h. Kidnapping, transporting, or stranding individuals
- i. Verbal abuse or harassment, including but not limited to “lineups” and berating of individuals

- j. Forced, coerced, or required conduct that could demean, embarrass, humiliate, or adversely affect the dignity of the individual, including but not limited to the wearing of apparel that is conspicuous or extraordinary, and the performance of public stunts and activities
- k. The intentional creation of clean-up work for organizations, other students, staff, or alumni
- l. Defacement, damage, destruction, or theft of property
- m. Denial of sufficient time to study
- n. Nudity or other lewd or unbecoming behavior

This definition of hazing extends to and prohibits the same activities both on campus and off campus, including activities taking place at or on privately owned facilities and property. Students should be aware that many acts that constitute hazing may also be punishable as violations of federal, state, or local law, or as violations of other Elmhurst University policies including, but not limited to, the Non-Discrimination and Non-Harassment Policy.

### **12. Impeding Privacy**

- a. Unauthorized video or audio recording or photographing of any person without their prior knowledge and consent, or after consent has been withdrawn, in any location where a person has some reasonable expectation of privacy (including, but not limited to gyms, locker rooms, rest rooms, residential facilities, and private offices, or when eavesdropping on private discussions in public spaces)
- b. Unauthorized transmission or distribution of such recordings, specifically when such release is likely to cause injury or distress
- c. Flying drones in campus buildings or on campus property without prior approval by a University official

### **13. Property Damage**

- a. Acts of vandalism or malicious defacement of property, the property of the University community, or the larger, off-campus community
- b. Tampering with telephones on campus

### **14. Retaliation**

Any adverse action taken against an individual or individuals because they reported a potential policy violation or concern, provided information related to a potential policy violation or concern, or because they participated in the student conduct process in any way. Retaliatory actions may include, but are not limited to, direct or indirect threats, physical violence, written, verbal or electronic harassment, and/or intimidation.

### **15. Theft and Burglary**

- a. Theft from University property or the property of a member of the University community or the larger, off-campus community
- b. Burglary from University property or the property of a member of the University community or the larger, off-campus community

### **16. Other Institutional Regulations**

Violation of published institutional regulations contained in the Student Handbook or any other regulations that may be enacted by the University community

## **HOUSING AND RESIDENCE LIFE POLICIES**

### **1. Abandoned Property**

Failure to claim or remove all belongings will result in the items being considered abandoned property. One attempt will be made to contact the owner of items of value and they will be subsequently stored for no longer than 5 business days, after which they will be disposed of if not claimed. The owner of such property will be charged a fine of \$100 for removal of items.

### **2. Alcohol - Residential**

- a. Being in the presence of alcohol while under 21, unless in one's own living space when the alcohol is in possession of a roommate or their guest(s) who is/are 21 or older
- b. Use or possession of alcohol in building/floor lounges, hallways, other public areas, or with the door to a living space (room, suite, apartment, or house) being open
- c. Possession of paraphernalia or participating in drinking games that contribute to high-risk consumption (beer bonging or funnels, beer pong, etc.)
- d. Possession of excessive amounts of alcohol, including kegs
- e. Possession of empty alcohol containers, or collections or displays of containers that contain or previously contained alcohol

### **3. Animals**

The only animals permitted in residential facilities are small fish in tanks 5 gallons or less and University-approved and documented emotional support or service animals. Animals intended for emotional support or service animals may not be brought into residential facilities until they are approved by the Director of Access and Disability Services. Animals "visiting" a resident are not permitted. Approved emotional support animals must remain in the residential space to which the owner is assigned unless the animal needs to go outside to relieve itself or is being taken off campus.

### **4. Compromising Fire Safety - Residential**

- a. Propping any fire doors
- b. Exceeding more than three times the normal occupancy of an assigned residential room, apartment, or house (i.e., a double room may have six people in it).
- c. Overloading electrical outlets or maintaining an extension cord or power strip in a manner that creates a fire hazard (i.e. using more than two electrical appliances per outlet; using "octopus" plug adapters or ungrounded/lightweight extension cords without fuse protection; plugging one power strip into another; running extension cords under rugs or across doors or floors)
- d. Covering, tampering with, disabling, or destroying smoke detectors, sprinklers, or other fire safety equipment
- e. Leaving any cooking appliance unattended while in use
- f. Lighting of any material that can cause smoke, a fire hazard, or damage due to smoke or fire

### **5. Decorations**

- a. Securing or affixing items, including flags, posters, paper light covers, stickers, holiday lights, etc., to ceilings
- b. Posting items that may create a hostile environment or advertise alcohol/drugs and their use on the exterior of student room doors or hung on windows

- c. Postings that obstruct a window or door so as to prevent an exit in case of fire or emergency
- d. Posting signs or fliers for student organizations, student employment, and campus events in places other than designated posting areas in the building and covering more than one-quarter of any wall or surface

#### **6. Facilities Use and Access - Residential**

- a. Removing University furniture from a lounge, common space, or student living space
- b. Creating furniture lofts with materials other than University-issued furniture designed to be lofted
- c. Hosting social gatherings in the basement of University houses
- d. Loaning keys or access cards to another individual or duplicating keys
- e. Accessing roofs of all buildings
- f. Storing items besides patio furniture on balconies at Prospect Apartments and storing items on porches at Elm Park Apartments
- g. Removing window screens and hanging, dropping, or throwing anything out of an open window
- h. Leaving trash or other debris on the front and back lawns of campus houses
- i. Impeding upon the health or safety of occupants, causing damage to University property, or requiring excessive cleaning from University staff once a residential space is vacated due to severe lack of cleanliness and sanitation
- j. Access to all campus house basements and roofs are prohibited to students
- k. Residents and guests of houses are prohibited from driving or parking on the grass, sidewalks or any other area that is not intended for vehicle use. (It is a city ordinance violation to block the public sidewalk at any time.)

#### **7. Guests and Visitation**

Anyone who is not an assigned resident of a building is considered a guest. A host is a current resident of the building responsible for a guest and their behavior. A host may be held accountable for a guest's behavior or actions and is expected to inform a guest of all applicable University and residential facility policies. Any guest who is under the age of 18 is considered a minor and must be registered for each visit with the Department of Public Safety, located in the lower level of Lehmann Hall, which is open 24 hours a day, 7 days a week. Once the guest is registered, the student must also call the Resident Advisor on Duty for their assigned hall and notify them that a guest under 18 will be staying overnight in the residence hall.

Visitation is permitted at any time of the day for the purpose of active study, discussion, and socializing. Residential housing spaces are intended for use by the residents assigned to that specific space. The constant and consistent presence of a guest or guests(s) is not permitted.

- a. Failure to escort a guest at all times, including when they are entering or exiting the building or using restrooms
- b. Having another person, other than the assigned occupants, living in an assigned room/apartment/house
- c. Permitting any guest or student not assigned to that room/apartment/house to stay without the permission of the other assigned occupants of the space



- d. Allowing a guest or guests to remain for more than 72 hours within a 7 day period or be a constant and consistent presence within a University residential space
- e. Engaging in intimate or sexual activity with a guest in front of a roommate (or roommate's guest) without their knowledge or consent
- f. Failure to register a guest who is under the age of 18 years old with the Department of Public Safety and /or notify the Resident Advisor on Duty of the guest
- g. Living in or being a constant and consistent presence within any space on campus where you are not assigned
- h. Allowing a guest that is not affiliated with the university to utilize any university equipment or machines. Including but not limited to residence hall washers and dryers, university computers and printers, and fitness center equipment.

#### **8. Noise**

- a. Playing any amplified or musical instruments such as drums, guitars, or keyboards in the residential facilities
- b. Projecting music out of residential windows using speakers
- c. Failure to uphold 24-hour courtesy hours, which require residents to be mindful of noise, music and TVs, and to comply with reasonable requests to adjust volume when necessary
- d. Failure to uphold quiet hours in effect Sunday-Thursday from 10:00 p.m. - 8:00 a.m. and Friday-Saturday from 11:00 p.m. - 9:00 a.m.
- e. Failure to uphold 24-hour intensive quiet hours, which prohibit loud sustained or intermittent noise that can be heard outside a resident's room in any direction, beginning at 7:00 p.m. the Friday before finals week through the Friday after finals at 10:00 a.m., 24-hour intensive quiet hours go into effect in all residential facilities

#### **9. Offensive Odors**

The use of any substance that creates a nuisance odor, including body odor, incense, or other strong substances

#### **10. Prohibited and Restricted Items**

The following items are not permitted inside any residential living facility unless otherwise noted:

- Air conditioners
- Air Fryers
- Candles and incense
- Ceiling fans
- Coffee pots/makers that exceed four cups
- Crockpots
- Deep fryers
- Electric kettles that exceed four cups
- Electronic devices that require an outside antenna
- Free standing arcade games
- Grills (indoor and outdoor)
- Halogen lamps
- Hazardous materials (laboratory chemicals, fireworks, explosives, ammunition, gasoline, kerosene, petroleum-based solvents, propane or natural gas cylinders, smoke-emitting devices, spray paint, substances that are flammable or emit flammable vapors or noxious fumes)

- Hookahs
- Hot plates
- Large stand-alone tabletop games (pool table, ping pong, air hockey, foosball, etc.)
- Live Christmas trees
- Microwaves (prohibited in residence halls only)
- Pressure cookers
- Refrigerators that draw more than 1.5 amps
- Rice cookers that exceed four cups
- Small appliances with exposed heating coils or that are not UL approved
- Soldering irons
- Space heaters
- Toasters and toaster ovens (prohibited in residence halls only)
- Wall-mounted televisions
- Sectionals/Large couches
- Furniture exceeding 300lbs.
- Waffle irons
- Washer/Dryer

#### **11. Property Damage – Residential**

Public areas such as hallways, lounges, stairwells, laundry rooms, elevators, cooking areas, and washrooms are the responsibility of residents. If a floor or building incurs damages, thefts of community property, or excessive litter in the hallways, the community may be held responsible if an individual does not take responsibility for the damage. If an individual takes responsibility for damage, they will be billed on their student account. Common area charges are billed at the end of the term or when a student checks out of their space.

#### **12. Room Entry, Search and Inspections**

The University reserves, without restrictions, the right to allow authorized personnel to enter student rooms. When such entry is necessary, the University will seek, within reason, to protect the student’s privacy and will make a reasonable effort to have residents present, which can include making a phone call to the resident(s). Should a resident not be present at the time a search is warranted, an email notification will be sent to the resident(s) informing them that authorized personnel entered their space. Authorized personnel may remove items that are in violation of federal, state, or University regulations.

Authorized University personnel may enter a residential room under any of the following conditions:

- a. Maintenance request
- b. Apparent emergency
- c. Building evacuation
- d. Health and safety checks conducted by staff
- e. Probable cause that a violation of campus policy has taken place
- f. Damage to, or theft of, building furniture or equipment
- g. Other necessary entry that is announced or posted prior to entry

#### **13. Smoking**

Smoking within all University residential facilities, including the use of e-cigarettes, vape pens, JUULs, or other similar smoking devices

#### **14. Student Housing Agreement**

Violation of rules applicable to campus housing and/or terms of the respective Office of Housing and Residence Life student housing agreements

## **AMNESTY POLICIES**

Elmhurst University values the health and safety of students who attend the University. Each member of the campus plays a vital role in ensuring the safety of community members and students, as well as their physical health and educational success while at Elmhurst University.

In certain cases, these situations may require immediate emergency medical assistance or seeking other campus resources. Understanding that these decisions can be complicated by the fear of subsequent disciplinary action, Elmhurst University has developed this policy to provide an additional layer of protection and encouragement to involved individuals so that they can prioritize the health and safety of campus community members over the concerns of disciplinary action.

### **AMNESTY FOR ALCOHOL OR OTHER DRUG CONSUMPTION**

Elmhurst University encourages students to seek medical assistance for themselves or others whenever there is a concern for a person's health or well-being, especially in cases of alcohol intoxication or other drug-related situations.

If an individual actively seeks medical assistance as outlined below, Elmhurst University will not pursue the conduct process against the following individuals for violations of the University's Code of Conduct or Housing and Residence Life Policies:

Any student(s) actively assisting the intoxicated/drug-altered student and/or

#### ***The intoxicated/drug altered student***

Actively assisting requires that an individual:

Call police/fire/medical assistance at 911 or Public Safety at (630) 617-3000, (x3000) or seek out another qualified person to help assist the student, such as a Resident Adviser for on-campus students or another Elmhurst University faculty or staff member; and actively monitor the intoxicated/drug altered student until assistance arrives

#### ***Amnesty for Reporters of Sexual Harassment***

Amnesty also applies to students who report or seek assistance after experiencing an incident of sexual harassment (including sexual assault, dating violence, domestic violence, or stalking) where alcohol or other drug use occurred.

### **Amnesty for Reporters of Policy Violations**

Students are encouraged to report misconduct and crimes. Sometimes, reporting parties or witnesses are hesitant to report to University officials or participate in resolution procedures because they fear that they may be accused of policy violations. It is in the best interest of the University community that reporting parties choose to report to University officials, and that witnesses come forward to share what they know about specific incidents. To encourage reporting, reporting parties and witnesses are offered amnesty from minor drug or alcohol policy violations related to incidents that they report. While some policy violations cannot be completely overlooked, educational options will be provided to those who aid others in need. Amnesty may be granted on a case-by-case basis for other policy violations and will be evaluated by the Director of Community Standards and/or their designee.

The following are NOT covered by the Amnesty Policy:

Committing violations of the Code of Conduct or Housing and Residence Life

Policies other than alcohol and drug policies, and committing violations of the Non-Discrimination and Non-Harassment Policy

Students who wait for Public Safety, the Elmhurst Police Department, or Housing and Residence Life Staff to arrive before seeking assistance

Possession of drugs or alcohol with the intent to distribute

Actions taken by Elmhurst Police Department or other law enforcement personnel

### **NON-DISCRIMINATION AND NON-HARASSMENT POLICY**

Elmhurst University prohibits harassment and discrimination against students, employees, and applicants regardless of race (including traits associated with race such as hair texture and protective hairstyles like braids, locks, and twists), color, caste, national origin, religion, sex, gender identity, sexual orientation, age, disability, citizenship, veteran status, arrest record status, political affiliation, pregnancy, marital status, or other protected status as those terms are defined by applicable federal, state, and local law. Further, Elmhurst University prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the University's Title IX Coordinator.

The University's detailed notice of nondiscrimination is located in the University's Non-Discrimination and Non-Harassment policy available at [elmhurst.edu/TitleIX](http://elmhurst.edu/TitleIX).

# STUDENT CONDUCT PROCESS

## STUDENT RIGHTS

All students have the right to be treated with dignity and respect and have the right to be heard within the University's conduct process. Beyond this, students have the following procedural rights when involved in the conduct process:

1. **Notice:** Students have the right to receive notice of their alleged violations of the Code of Conduct, Housing and Residence Life Policies, or other institutional policies. This notice includes an explanation of the policies that are alleged to have been violated.
2. **Hearing:** Students have the right to participate in a hearing in which they can present their perspective of the documented concern and confirm or refute information related to their reported violations.
3. **Review:** Students have the right to review any documentation related to their reported policy violations.
4. **Appeal:** Students have the right to be informed of the appeal process and to appeal the outcome of a hearing.

## RESPONSIBILITY AND AUTHORITY OF THE PROCESS

Responsibility and authority for the student conduct process at Elmhurst University is vested in the President of the University, who delegates responsibility and authority to the Vice President for Student Affairs and their staff. The Vice President for Student Affairs may delegate to their staff certain responsibility and authority for the resolution of student conduct concerns that occur both on and off campus. Designated staff within the Division of Student Affairs serve as conduct administrators who hold hearings with students reported to have violated University policies.

Beyond individual students, student organizations will be held accountable for violations of the Elmhurst University Community Standards, on campus or off campus, under the following conditions:

1. When the activity is sponsored and organized by the student organization;
2. When an open invitation is extended to a significant number of the student organization's membership;
3. When individuals at an activity verbally identify themselves with the student organization; and/or
4. When the event or activity is perceived to be an organized event.

Student organizations shall be afforded the same procedural rights afforded to individual students during any conduct process.

Alleged violations of the University's Non-Discrimination and Non-Harassment Policy shall be governed by the appropriate resolution procedures set forth therein. All other reported policy violations shall be resolved through the procedure set forth below.

The Elmhurst University Student Conduct Process is generally managed through Maxient, the University's conduct software. Letters and notifications pertaining to student conduct will typically be delivered to a student's Elmhurst University email address via Maxient.

## INCIDENT REPORTS

The University receives submissions of reported student misconduct through a variety of ways. Any faculty member, staff member, or student may file a report regarding alleged violations of University policy, known as an incident report. An incident report can be filed with the Office of Housing and Residence Life staff, Public Safety, the Office of Student Affairs, the Office of Academic Affairs, or other offices on campus. Occasionally, the University receives incident reports from the Elmhurst Police Department, local community members, businesses where students host events off campus, or other entities outside of the University.

The University reserves the right to initiate a complaint, to serve as a complainant, and to initiate conduct proceedings without a formal complaint by a victim of misconduct.

Incident reports regarding reported student misconduct are kept in the Office of Student Affairs and are managed by the Director of Community Standards, and/or their designees, known as conduct administrators.

## INVESTIGATION

Upon receipt of an incident report, a case file is generated and assigned to a conduct administrator for investigation and resolution. In the case of incident reports that relate to student organizations, more than one conduct administrator may be assigned to investigate and resolve the case. The conduct administrator reviews the incident report to determine if there is enough information to suggest a policy violation occurred, and if so, reported policy violations are assigned. Should additional information be necessary to have a more complete incident report prior to an administrative hearing, the conduct administrator may conduct a preliminary investigation to obtain more information regarding the report, or they may refer the incident report to Public Safety to conduct further investigation. If the conduct administrator finds that the incident report does not contain information that reasonably suggests a policy violation occurred, the case may be closed without further action.

In some cases, the conduct administrator may determine that an alternative response would be best to resolve the documented incident. Examples of alternative responses include an educational letter, an acceptance of responsibility letter, mediation, a no contact order, or changes to living, work, or academic arrangements.

## INTERIM ADMINISTRATIVE ACTION

When it is reasonably believed that a student or student organization may pose a danger or threat to the safety and wellbeing of another student or the University community, the Vice President for Student Affairs or their designee may take interim administrative action. If interim administrative action is necessary, the student will be notified in writing (at their Elmhurst University email address and/or in the form of a physical letter) of the interim administrative action and its duration. Parents, administrators, academic advisors, Public Safety, and other University staff may be notified of the action, as needed. Interim administrative actions can include the following:

- **Interim Administrative Move:** The student may be required to relocate to another housing assignment pending the outcome of an investigation and/or administrative hearing.

- **Interim No Contact Order:** The student may be required to not have any contact with a particular student, employee, or group of people pending the outcome of an investigation and/or administrative hearing.
- **Interim Suspension from Housing:** The student may be required to not access their housing assignment pending the outcome of an investigation and/or administrative hearing.
- **Interim Suspension from Campus Activities:** The student may be required to suspend participation in student organizations, athletics, University committees, or University-sponsored events pending the outcome of an investigation and/or administrative hearing. A student organization may be required to suspend activity pending the outcome of an investigation and/or administrative hearing.
- **Interim Suspension:** The student may be required to suspended participation in all University activities and coursework and may not have access to campus pending the outcome of an investigation and/or administrative hearing.

### **ACCEPTANCE OF RESPONSIBILITY (AOR) LETTERS**

A conduct administrator may send a student (known as a respondent) an Acceptance of Responsibility (AOR) letter instead of a notice of a report as outlined in the next section. An acceptance of responsibility letter contains the same information as a notice letter, except it provides the respondent the option to not attend a hearing and instead accept responsibility for an alleged violation outright. Acceptance of responsibility letters are only used for relatively minor incidents at the discretion of the conduct administrator assigned to the case. Respondents may always decline to accept responsibility and request an administrative hearing instead. Failure by a respondent to respond to an AOR letter within five (5) business days will result in the decision being finalized, and any proposed determinations and sanctions will be applied. Decisions made by either acceptance of responsibility or failure to respond to an AOR letter may not be appealed, except on the grounds that the respondent did not have a reasonable opportunity to receive and respond to the letter.

### **NOTICE TO THE RESPONDENT**

If an AOR letter is not delivered, then a conduct administrator determines that an incident report suggests a policy violation may have occurred, reported policy violations are assigned to the case, and the respondent is notified of the incident report. The respondent will receive notice of the incident report in writing at their Elmhurst University email address. In the case of student organizations, the president or other appropriate elected representative will receive notice on behalf of the student organization at their Elmhurst University email address. The notice letter will contain the following information:

- The date, time, and location where the incident reportedly occurred
- A brief description of the reported misconduct
- A list of University policies reported to have been violated
- A request for an administrative hearing with a specific conduct administrator
- Information about when the hearing should be scheduled or take place, and how to schedule the hearing
- A reminder to review the Community Standards and Student Conduct Process in the Student Handbook

## **HEARING PROCEDURE SCHEDULING**

Upon receipt of a notice letter, the respondent is expected to schedule an administrative hearing with the assigned conduct administrator within five (5) business days after receiving the notice letter. The hearing does not need to take place within these five days, but the hearing should take place within 10 business days of the respondent receiving the notice letter.

It is the respondent's responsibility to schedule an administrative hearing with the conduct administrator. Should the respondent fail to schedule an administrative hearing within five (5) business days after receiving the notice letter or fail to attend their scheduled administrative hearing without prior notice to the conduct administrator, the conduct administrator will send a second and final notice letter to the respondent. The respondent will have five (5) additional business days from the receipt of that letter to schedule and appear at an administrative hearing. Should the respondent still fail to do so, the conduct administrator may make a decision regarding the respondent's responsibility for the reported policy violations and assign appropriate sanctions. Failure to schedule or attend an administrative hearing after two notices also results in forfeiting the opportunity to appeal the outcome of the administrative hearing.

### **AUTHORITY**

An administrative hearing is a one-on-one meeting between the respondent and a conduct administrator. In some cases, an administrative hearing may be facilitated by more than one conduct administrator, particularly if the administrative hearing is being held for reported student organization misconduct. Conduct administrators are professional members of the University staff, usually from the Division of Student Affairs. Conduct administrators are trained to handle matters involving student conduct according to the policies and procedures set forth in the Student Handbook. At the conduct administrator's discretion, more than one respondent may attend an administrative hearing for the same incident should all respondents agree to participate in the same administrative hearing.

In some cases, at the discretion of the Vice President for Student Affairs or the Director of Community Standards and/or their designee, audio or video recordings of administrative hearings may be completed. Any recording of a hearing becomes property of the University and may be retained as part of the student's conduct record. Recordings may be reviewed in deciding an appeal or may be used internally for documentation or training purposes. Respondents are not permitted to record administrative hearings.

An advisor may accompany any involved party of an incident at any time during the student conduct process. The purpose of an advisor is to assist a student in preparing for the student conduct process. During a hearing, advisors will only be allowed to confer with their advisees. The advisor may not directly participate in the student conduct process on behalf of any party or as a spokesperson or advocate. Any person may serve as an advisor. However, a person who is an involved party to any particular incident may not serve as an advisor nor observer to another involved party in the same incident.

### **FORMAT**

Once a respondent schedules an administrative hearing and appears at the hearing at the scheduled date, time, and location, the administrative hearing generally proceeds in the following format:

- Introduction of all parties present
- Review of student rights in the conduct process



- Review of the notice letter, including the nature of the reported policy violations and definitions of the appropriate policies
- Personal account of the incident on behalf of the respondent
- Review of the incident report(s) received by the conduct administrator
- Opportunity for the respondent to discuss the personal account and the incident report(s)
- Opportunity for the respondent to accept responsibility for all reported policy violations, to accept some reported policy violations and refute others, or to refute all reported policy violations
- Invitation to discuss harm or impact caused by the incident and offer recommendations for ways to repair harm and resolve the case (usually through sanctions)
- Opportunity for the respondent to share any final remarks
- Notice of the appeal process
- Deliberation by the conduct administrator

Administrative hearings are not identical to the rights afforded to the respondent student in a civil or criminal proceeding. However, the hearing is designed to ensure fundamental fairness and to protect the student from arbitrary or capricious disciplinary action. Due process, insofar as the procedures of the University permit, will be afforded to the respondent.

#### **DELIBERATION, DECISION AND OUTCOME**

In some administrative hearings, the conduct administrator is able to determine findings of responsibility with the respondent in the hearing. In others, the conduct administrator may take up to three (3) business days to consider all information shared in the administrative hearing and review all available information before notifying the respondent of the outcome of the hearing. In reports that involve student organizations or a large number of respondents, the conduct administrator may wait to conclude all administrative hearings before delivering hearing outcomes to respondents; this may extend the timeline for outcomes beyond three (3) business days.

For each alleged policy violation, the conduct administrator makes a determination of “responsible” or “not responsible.” To do this, the conduct administrator uses the preponderance of the evidence standard, which means they must determine that it is more likely that a reported policy violation occurred than it did not occur. If it is more likely than not that a violation of the specified policy occurred, then the finding is “responsible;” if it is more likely that a violation of the specified policy did not occur, then the finding is “not responsible.”

If there is no finding of responsibility related to any of the reported policy violations, no sanction will be assigned and the case is considered closed. If there is a finding of responsibility related to any reported policy violation, the conduct administrator may assign an appropriate sanction. A conduct administrator may review a respondent’s prior conduct history to determine the most appropriate sanction based on the most recent policy violation(s) determined in the hearing.

Within three (3) business days after the conclusion of the hearing, the conduct administrator will notify the respondent of the outcome of the hearing in writing at their Elmhurst University email address. The outcome letter will contain all findings related to the reported policy violations, any sanctions assigned because of a finding of responsibility, and a summary of the appeal process.

## STUDENT CONDUCT SANCTIONS

If a student is found responsible for violating a University policy or policies a conduct administrator may assign sanctions to aid in the educational process, repair harm that was done, or ensure the safety of the individual or campus community. Sanctions assigned could include but are not limited to:

- **Written Warning:** An official notice to a student that their behavior was inappropriate and violated the Code of Conduct, Housing and Residence Life Policies, Non-Discrimination and Non-Harassment Policy, or another relevant University policy.
- **Educational Assignments or Training:** These are designed to encourage students to reflect upon their behavior; learn about specific topics that relate to their previous behavior; identify harm made to self, another person, and/or the community; and/or explore how they could change their behavior in the future. Educational Assignments or Training may include but are not limited to completion of reflection assignments, educational papers, bulletin boards, workshops, online training courses, campus involvement challenges, counseling services or workshops, or other event attendance.
- **Meeting with a University Administrator:** Students may be asked to meet with a University administrator either one time or on a regular basis to establish constructive connections to the University and to identify academic, co-curricular, and personal goals to be a positive member of the campus community.
- **AOD Care Meeting:** In instances where a student has engaged in significant repeated alcohol or other drug use, or where a student is found responsible for severe alcohol intoxication or impairment from other drug use resulting in concern for a student's wellbeing that requires medical transport, students may be asked to attend an Alcohol and Other Drug (AOD) Care Meeting with a designated Staff Clinician in Counseling Services. The purpose of this meeting is for the student to reflect upon their prior alcohol or other drug use and identify strategies to modify future use. The student will need to complete a Release of Information form so the Staff Clinician can confirm attendance of AOD Care Plan Meeting to the Director of Community Standards.
- **Loss of Privileges:** Students who have been found responsible for a violation of University policy may temporarily or permanently lose certain privileges that are otherwise afforded to them. Examples include restrictions on guests in on-campus housing and on access to certain campus facilities, programs, or services (such as the shuttle, specific residence halls, fitness center, etc. or losing parking privileges, the ability to participate in or hold leadership positions in certain student organizations or activities, loss of student employment, etc.). In some cases, a student may be reassigned to a different housing assignment as part of this sanction or may not be permitted to represent the University in student leadership opportunities, athletic events, or other co-curricular involvement.
- **Fines:** Fines are monetary costs intended to deter students from violating University policies and are charged to a student's account with the University.
- **Restitution:** Restitution is monetary compensation required of students who have damaged, destroyed, misused, or stolen University, public, or private property. The amount charged to a student's University account is commensurate to the cost to repair, replace, clean, or otherwise account for the property affected.

- **Housing Probation:** Housing probation is a formal notice that a student's behavior or repeat behavior has been detrimental to themselves or the residential community. During the housing probation period, which is minimally one semester but can last up to two years, a student is expected to demonstrate behavior that aligns with the institution's mission and values and upholds community standards of the University. Continued misconduct during the probation period may result in removal from housing.
- **Removal from Housing:** Requires a student to vacate their assigned residence hall room, apartment, or house by a specified date and time and return all University-issued keys and access cards. Removal from housing can be for a specified length of time or may be a permanent removal and can include revocation of access to all University residential facilities.
- **Persona Non Grata:** For the purposes of University policy, "persona non grata" means a student who has exhibited behavior that has been deemed detrimental to the University community and thus is no longer permitted to frequent or be present in specified University locations.
- **Criminal Trespass:** For the purposes of University policy, "criminal trespass" means a person is prohibited from being upon or entering any and all Elmhurst University property, including residential buildings, residence halls, apartments and campus houses, buildings, parking lots, and campus property, or attending events sponsored/hosted by Elmhurst University or any affiliated organizations, including student organization events, whether on or off campus.
- **No Contact Order:** A University-issued Order that requires a student to not have any contact with another named student, employee, or group of people pending the outcome of an investigation and/or administrative hearing. This Order may be issued as an interim sanction, and it may be determined to be a permanent outcome or sanction following an investigation, hearing or acceptance of responsibility.
- **Student Organization Sanctions:** Any sanction may be modified and applied to recognized student organizations and certain sanctions may only apply to student organizations. For example, an organization's national representatives, officers, and/or advisors may be notified of the incident. Serious repeated misconduct by a student organization may result in the organization being suspended or terminated. Either of these sanctions prohibit the organization from recruiting new members, organizing current members, or acting in any organized manner aligned with the organization's mission.
- **University Probation:** Probation is a formal notice that a student's behavior or repeat behavior has been detrimental to themselves or the University community. During the probation period, which is minimally one semester but can last until graduation, a student is expected to demonstrate behavior that aligns with the institution's mission and values and upholds community standards of the University. Continued misconduct during the probation period may result in suspension or expulsion from the institution. Students on probation may not study away during their probation period.
- **Suspension:** University suspension involves the temporary separation of a student from the University for a specified period of time not to exceed two years, with the understanding that the student may return to the University in good standing at the completion of the suspension period after meeting any other conditions of the suspension. A suspended student may not participate in courses, activities, campus employment, or any other privileges typically afforded to an enrolled student. A

suspended student may be expected to meet with the Director of Community Standards and/or their designee to request reinstatement and have holds removed on their student account to re-enroll for courses.

- **Expulsion/Dismissal:** Dismissal from the institution, commonly known as expulsion, means permanent termination of student status at the University. Expulsion may include forfeiture of all rights and degrees not actually conferred at the time of dismissal; permanent notation of the dismissal on the student's disciplinary record; withdrawal from all courses; and forfeiture of tuition and fees. An expelled student may not access any University property without express permission obtained in advance from the Director of Community Standards and/or their designee or the Executive Director of Public Safety.

If a student is found responsible in an off-campus court of law, the institution may initiate its own conduct process or impose additional sanctions to a process that has been completed. However, it is possible for the University to find the student responsible for violation(s) of the Community Standards even if the student is not found "guilty" in a court of law. This is due to the educational conduct process being based on a preponderance of evidence, which is different than the legal requirement of evidence (guilty beyond a reasonable doubt).

If a student is suspended or dismissed, they will be withdrawn from the University effective on the date included in their outcome letter. Suspended or dismissed students receive no academic credit for their currently enrolled term and are fully responsible for all appropriate financial obligations.

The Vice President for Student Affairs or their designee may place a judicial hold on the records of any student who withdraws prior to the resolution of a pending student conduct action or if assigned sanctions are not completed by the specified date. A judicial hold can restrict a student from adjusting their course schedule or receiving their transcript.

## **APPEAL PROCESS**

After an administrative hearing and upon receipt of an outcome letter, a student may submit an appeal. An appeal is not a request for a new hearing at a higher level or a rehearing because of dissatisfaction with the results of an earlier hearing. Rather, an appeal must be based upon one of the following grounds:

- **New substantive information** is available that could not have been obtained or discovered by a diligent respondent prior to or at the time of the administrative hearing and that would have likely changed the outcome of the hearing.
- **A substantive procedural error** or error in the interpretation of University policy occurred that denied the **respondent the right to a fair hearing and decision.**
- **The finding** of responsibility was clearly unreasonable and unsupported based on the available information, and/or the sanctions were too severe for the finding.

An appeal must be submitted in writing to the Vice President for Student Affairs within three (3) business days of receiving an outcome letter. Failure to submit an appeal within this period waives the right to an appeal and makes the hearing decision final. The appeal letter must address the grounds for appeal, a personal statement explaining why the student is challenging the results of the hearing, and any relevant documentation that substantiates their request for an appeal. The responsibility lies with the student to provide clear

and convincing information demonstrating that the original process or decision was flawed.

The Vice President for Student Affairs will review a properly completed appeal and determine whether there is sufficient information to modify the original hearing decision. The Vice President may or may not request to meet with the respondent or other relevant individuals before making a final decision. The Vice President will choose one of four possible outcomes for an appeal:

- Affirm the original outcome and uphold the sanctions
- Affirm the original outcome and modify the sanctions
- Overturn all or part of the original outcome and uphold, assign, modify, or remove sanctions
- Call for further investigation and/or a new administrative hearing

The student will be notified in writing at their Elmhurst University email address within three (3) business days of submitting their appeal of the appeal decision. The appeal decision made by the Vice President for Student Affairs is final within the University and is not subject to further review.

# ADDITIONAL UNIVERSITY POLICIES AND PROCEDURES

## BIAS INCIDENTS INTRODUCTION

Elmhurst University strives to foster an environment that values, respects, and celebrates the diverse identities represented in its community. The University strives to maintain its value of providing a welcoming community and will address students who seek to intentionally disrupt this effort. Bias incidents may fall below the threshold of violating laws and other campus regulations, but still have an impact on an individual, a subset of the campus community, or the campus community at large. It is important to respond to these incidents in a timely and educational manner while respecting individuals' right to freedom of speech and expression.

## DEFINITION

A *bias incident* is a discriminatory, hostile, or hurtful act that is or is perceived to be motivated (at least in part) by the person's or persons' perceived or actual race, color, national origin, religion, sex, gender identity, sexual orientation, age, disability, citizenship, veteran's status, pregnancy, marital status, or other protected status. The act can illicit harm to the individual or group and/or create a negative environment for them or the community. A bias incident does not have to be a hate crime or violate University policy to be considered an incident. However, a bias incident can include discriminatory conduct or hate crimes, which may result in response taken through the procedures outlined in the Student Conduct Process or the Non-Discrimination and Non-Harassment Policy rather than the Bias Incident Response protocol outlined below. All bias incidents will be retained for data collection and archived to help track and improve the campus community.

## ACADEMIC FREEDOM AND FREEDOM OF EXPRESSION

According to the Faculty Manual, faculty at Elmhurst University are afforded academic freedom. Academic freedom is important to the pursuit of knowledge in the classroom, in the University community, and in academic disciplines. This policy is not intended to stifle teaching methods or diminish academic freedom or freedom of expression. The protections of academic freedom must be considered in any bias incident reports involving faculty. Additionally, all faculty, staff, and students have a right to freedom of expression, which comes with the responsibility of respecting the rights and dignity of others.

## BIAS INCIDENT RESPONSE TEAM

If a student experiences or witnesses a bias incident, they have the option and are encouraged to submit a report to the Bias Incident Response Team (BIRT). The BIRT will review and provide recommendations in response to bias incidents that occur within the Elmhurst University community. Specifically, the BIRT team will:

- Respond to students who have been the target of or witnessed a bias incident
- Refer students to appropriate University resources and educate reporters on what to expect from each resource
- Inform the University community about the frequency and nature of bias incidents through annual reports to drive discussion around making Elmhurst more equitable and inclusive

The BIRT will review reported information to determine the appropriate course of action for the person or people impacted by the incident. The BIRT also reserves the right to contact the individual(s) reported to have committed the bias incident to engage in educational conversations or restorative practices if they are willing to do so.

### **HOW TO REPORT**

Individuals reporting an incident may self-identify or remain anonymous. There are three options to submit a bias incident report:

1. Complete the Bias Incident Report form at [elmhurst.edu/BiasIncident](http://elmhurst.edu/BiasIncident)
2. Contact Public Safety from an on-campus phone at x 3000 or (630) 617-3000
3. Email a member of the Bias Incident Response Team listed below

When submitting a report, it is helpful to provide as much information as possible, including the reporting party, the responding party (the individual reported to have committed the action, if known), witnesses, the date/time/location of the incident, the type of conduct that occurred, and any specific details of the actions.

If for any reason, a reporter chooses to submit an anonymous report, they have the option to do so via the Bias Incident Report form. Please note that anonymous reporting may impact the University's ability to respond to the report. Any reporter may also request that their identity remain confidential, and the University will take reasonable steps to look into the report while maintaining confidentiality.

### **BIAS INCIDENT RESPONSE PROTOCOL**

1. Once a report is received, it is received by a member of the BIRT. A copy of the incident will be sent to the Director of Community Standards and/or their designee, the Executive Director of Public Safety and the Vice President of Equity and Inclusion.
2. If the reporting party is known and requests a response, a member from the BIRT will contact the reporting party within three (3) business days to schedule a meeting to discuss the report further.
3. Any individual action or combination of the following actions may result:
  - Support: Offer support via appropriate campus departments, off-campus resources, etc.
  - Inquiry: Gather additional and clarifying information about the reported incident
  - Education: Recommend a community message, campus program, town hall meeting, meeting invitation to the responding party with a member of the BIRT, faculty/staff development or training, etc.
4. If the reporting party does not want a response and follow-up is not possible or necessary, then no further action is pursued and the report will be deemed closed.

### **BIRT PRIMARY CONTACTS**

Bridget Stearns  
*Director of Community Standards*  
(630) 617-5785  
[bridget.stearns@elmhurst.edu](mailto:bridget.stearns@elmhurst.edu)

Marc Molina  
*Assistant Vice President for Student Affairs*  
(630) 617-3042  
[marc.molina@elmhurst.edu](mailto:marc.molina@elmhurst.edu)

Dr. Phil Riordan  
Vice President for Student Affairs  
630-617-3187  
[phil.riordan@elmhurst.edu](mailto:phil.riordan@elmhurst.edu)

## **PUBLIC SAFETY AND SECURITY EMERGENCY CONTACT NUMBERS**

For assistance, please call:

- Public Safety: (630) 617-3000 (x3000 from any campus phone)
- Police, Fire, or Medical Emergencies: 911
- Elmhurst Police Department (non-emergency): (630) 530-3050
- Elmhurst Fire Department (non-emergency): (630) 530-3090

## **EMERGENCY RESPONSE PROCEDURES**

Elmhurst University has established and published emergency response procedures for various emergencies that could affect campus. These procedures are posted in classrooms around campus, and a copy is available at the Department of Public Safety. Additionally, these procedures are available online at [elmhurst.edu/Emergency](http://elmhurst.edu/Emergency). It is recommended that all students, faculty, staff, and visitors familiarize themselves with these procedures should an emergency arise.

## **HATE CRIME POLICY**

Elmhurst University does not tolerate hate crime activity. Aligned with definitions from the FBI's UCR Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection, a "hate crime" under Elmhurst University policy is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin. Hate crimes can include offenses against the person, such as assault or battery; offenses against property, such as theft; damage to property or trespass; and crimes of intimidation, such as harassment.

Hate crimes violate the law. In addition, hate-motivated conduct that violates Elmhurst policies, including but not limited to the Code of Conduct and the Non-Discrimination and Non-Harassment Policy, is subject to disciplinary action regardless of whether the student is found to have committed a crime.

Should anyone witness or experience what they believe to be a hate crime, it should be immediately reported to the local law enforcement agency as well as Public Safety at (630) 617-3000. Reports may also be made to Elmhurst University's Bias Incident Response Team by visiting [elmhurst.edu/Biasincident](http://elmhurst.edu/Biasincident). In case of emergency, call 911 immediately. Even in the case of non-violent offenses, reporting is important to prevent future incidents.

## **PARKING REGULATIONS**

Parking on University-owned or leased lots is provided primarily for currently enrolled students and employees on University business. The University's Parking and Transportation Guidelines are designed to enhance pedestrian safety and maintain access for emergency and service vehicles. Members of the University community are expected to familiarize themselves with the regulations pertaining to vehicle operation and assist Public Safety by abiding by the established parking policies and driving in a safe manner.



### ***Registering Automobiles and Motorcycles***

All faculty, staff, and students operating motor vehicles (including motorcycles) must have their vehicles registered to utilize any University parking spaces. The Department of Public Safety issues parking permits to students, faculty, and staff. Persons who utilize multiple vehicles must register each vehicle. If a temporary vehicle is used, the vehicle must be registered with the Department of Public Safety and issued a temporary permit to display while parking on campus. Unregistered vehicles without a valid permit displayed may be removed from campus at the owner's expense.

Parking permits should be affixed on the inside of the front, driver's side windshield, at the bottom corner of the glass. Parking permits for motorcycles are to be attached to an area adjacent to the license plate.

### ***Campus Parking and Driving Rules***

1. Parking on the main campus is restricted to Elmhurst University students, faculty, and staff on campus for University activities. Only guests and visitors conducting University business are authorized to use visitor parking spaces. A temporary parking sticker is available by visiting the Department of Public Safety, located in the lower level of Lehmann Hall, which is available to individuals who will be visiting or utilizing our facilities for short periods of time.
2. Campus property is not to be used for the overnight or long-term storage of vehicles by faculty, staff, non-resident students, or the public without prior arrangement and approval with Public Safety.
3. A speed limit of 10 miles per hour applies to the entire campus area.
4. No overnight parking is permitted between the hours of 2:00 a.m. and 6:00 a.m. in the following locations:
  - a. Schaible Science Center lot—all parking areas east of Schick Hall to Prospect Avenue
  - b. Parking areas in:
    - i. Heat Plant
    - ii. Goebel Hall
    - iii. Lehmann Hall
    - iv. Irion Hall
    - v. Daniels Hall
    - vi. Koplin Hall
  - c. Brune Tennis Courts lot
  - d. The designated University parking spaces along the railroad tracks at the north end of campus

*Note:* Resident students may use the parking spaces to the south of Dinkmeyer Hall and Stanger Hall, west of West Hall, and any lot north of Alexander Boulevard with the exception of the Brune Tennis Courts lot.
5. Parallel parking is only permitted in areas specifically marked for parallel parking between posted signs.
6. Motorcycle parking is available in the Schaible Science Center and Goebel Hall parking lots. These spaces may only be used by registered motorcycles, mopeds, and scooters that are legally able to be driven on public roads and streets, and that have been registered and received a parking permit from Elmhurst University.

7. Students are prohibited from driving or parking on grass, landscaping, sidewalks or any other area that is not intended for vehicle use.
8. Parking is not permitted at the Elmhurst Public Library or 180 W. Park Avenue, unless specifically authorized, and may be subject to enforcement by the Elmhurst Police Department.
9. Parking on public streets adjacent to the University campus is permitted, subject to any parking regulations posted for that area. Overnight parking is not permitted on any Elmhurst City streets.
10. Motor vehicles operated on campus must always be licensed, with the license plate clearly affixed and displayed on the vehicle, and in operable condition. Operating vehicles must always be equipped with a muffler to prevent excessive noise or smoke and appropriate lighting, such as headlights and brake lights. Inoperative or abandoned vehicles will be towed at the owner's expense.
11. Due to the high volume of pedestrian traffic on campus, the campus speed limit is 10 mph. Reckless or unsafe driving, including failure to yield to pedestrians and speeding, is subject to enforcement activity by either the University, Elmhurst Police Department, or the Department of Public Safety.
12. Occasionally there is a need to close or restrict parking spaces and/or parking area access. When possible, reasonable attempts will be made to contact registered vehicle operators to have them move their vehicles. Elmhurst University reserves the right to relocate vehicles when there is a safety or security concern, a need to for immediate or emergency access to a portion of campus for maintenance, or to accommodate inclement weather (snow removal or other weather emergency.) When the University has been unable to provide notice of a closure, or there is need to relocate a vehicle due to an emergency, and the vehicle is otherwise in compliance with all parking regulations, the associated costs will not be billed to the vehicle owner.

### ***Compliance and Potential Penalties***

Operating a motor vehicle on the Elmhurst University campus is a privilege that may be revoked for non-compliance with the University's motor vehicle regulations. Persons operating a motor vehicle on campus must familiarize themselves with parking expectations and regulations, and each driver must assume responsibility for established rules and laws. Citations may be issued for a violation of the motor vehicle regulations. The University reserves the right to immobilize vehicles involved in repeated parking violations, which may incur additional fees or fines. The University reserves the right to have vehicles towed from campus, at the vehicle owner's expense, for 3 or more repeated parking violations or if the vehicle is parked in a restricted parking area. Towing fees may be required to be paid prior to retrieving the vehicle. Immobilization fees incurred for each day the parking boot is on the vehicle, must be paid before or at the time of removal.

### ***Fees Related to Parking Citations, Immobilization Boots, and/or Towing or Relocation Costs***

Any fees associated with parking citations, immobilization boots, or towing costs for removal or relocation on campus are subject to having those charges forwarded to the owner/driver of the vehicle. When applicable, these fees may be assessed directly to the student account with the University. Payments on these fees can be made at the Student Financial Services Office.

### ***Parking Citation Appeal Process***

If you receive a parking citation and would like to appeal it, complete the

appeal form on the back of the parking citation and return it to the Department of Public Safety within 5 days of the issuance of the ticket. The appeal outcome will be communicated to the driver and/or owner of the vehicle within 7 business days of submission.

### **STATEMENT OF SAFETY AND SECURITY**

The following information is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as later enhanced by the Higher Education Opportunity Act. The University strongly encourages members of the Elmhurst University community to review the Annual Security and Fire Safety Report and crime and safety information available on the Elmhurst University website for updates and more complete safety and security information. The report can be found at [elmhurst.edu/Clery](http://elmhurst.edu/Clery).

#### ***Security and Safety Support***

Elmhurst University has always held the safety and overall well-being of its students and staff as one of its highest concerns. To that end, we have established a variety of security measures and policies to promote a safe campus community that enhances the educational experience.

The Department of Public Safety is centrally located on campus in the lower level of Lehmann Hall. Our public safety officers are employed directly by Elmhurst University, and we have patrol staff on duty 24 hours per day, 365 days per year. While our public safety officers have no official police authority through Elmhurst University, our close working relationship with the Elmhurst Police Department enables a rapid, coordinated response to any serious emergency and specific procedures for responding to campus incidents have been developed in concert with the Elmhurst Police Department. In addition, many public safety patrol officers and dispatchers are current, former, or retired law enforcement officers, firefighters or emergency dispatchers with extensive municipal, state or federal public safety training and experience.

Elmhurst is a western suburb of the City of Chicago, with an efficient effective government, comparatively low crime rate, and responsive and proactive police and fire departments. The University campus is less than a mile from the police station and is well situated between two fire stations. Complementing and collaborating with the efforts of the Department of Public Safety, the Office of Facilities Management maintains the University's buildings and grounds with a focus on safety and security. Facilities Management staff regularly inspect the campus for safety hazards and promptly make repairs affecting safety and security.

Consistent with the requirements imposed on public educational institutions by the Illinois Campus Security Act, those service employees with sensitive positions regarding student contact are subject to criminal background investigations.

#### ***Reporting***

Emergencies should be immediately reported to Public Safety at (630) 617-3000 (x3000 from any campus phone) or to the Elmhurst Police Department, Elmhurst Fire Department, or other emergency agencies at 911.

Students should immediately report all actual or suspected criminal or suspicious incidents to the Department of Public Safety for appropriate response and investigation, and resident students may also report incidents to their Resident Advisers or other Housing and Residence Life staff.

Campus phones are provided for emergency reporting, and they are installed

in vestibules of public areas of academic and administrative buildings, as well as in the hallways of the residence halls. Upon receipt of a call, public safety officers are immediately dispatched to the location of the complaint. If the incident occurs in a residence hall, the response will be coordinated with Housing and Residence Life staff on duty.

### ***Crime Prevention***

Elmhurst University has adopted a proactive approach to crime prevention that involves all members of the campus community. The program includes the distribution of literature, social media presence, a Campus Watch program, public information displays on Elmhurst University televisions and the campus IT portal, guest lecturers, various crime prevention presentations, and announcements in University publications.

Since effective security is a partnership between Public Safety and the campus community, new students attend orientation sessions designed to teach students and staff members what they can do to keep themselves and others secure on campus. Updates are provided through Public Safety online and social media postings, campus publications, Crime Alert postings and notices to Housing and Residence Life staff which, in turn, are shared within residence halls with the students. When appropriate, the Department of Public Safety uses a mass notification system to immediately inform the campus community of urgent or emergency messages. These systems are the Emergency Broadcast System (EBS) and EU Alert. The EBS system uses over 200 speakers across campus to publicly announce messages both within and outside campus buildings. The EU Alert system allows for direct and broad messaging to campus community members utilizing SMS text messaging and emails to registered University students, faculty, staff and registered guests. All members of the University campus community are automatically enrolled for EU Alert through the University.

Students, faculty and staff can learn more about managing their EU Alert by visiting the Department of Public Safety website. These emergency notification methods are the primary means used to inform students and staff of specific hazards and changes that affect safety.

Crime statistics required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) are reported to students, faculty, and staff annually through the Annual Security and Fire Safety Report, the Elmhurst University website, and various publications and programs. In addition, these publications carry crime prevention tips based on available information and our local expertise and experience. A hard copy of the annual report is available for viewing at the Public Safety Office in Lehmann Hall.

Campus safety requires a collaborative effort by all campus community members. Safety and security must be a priority to everyone on our campus. While the Department of Public Safety is actively patrolling campus for any safety concerns, it is important for students to assume responsibility for their own personal safety and security. This is best accomplished by securing their personal belongings through simple, proactive precautions, such as:

- Room doors should be locked at night and when the room is unoccupied.
- Students should not leave their belongings unattended in an open or public space.
- Valuable items, such as laptop computers, gaming systems, speakers, digital music players, cameras, and televisions should be marked with an identification number, and owners should maintain a record of each item's make, model and serial number.
- Strangers or suspicious persons should not be allowed to enter secured

buildings, such as residence halls, and they should be immediately reported to Public Safety.

- Students should be sure to close and lock the windows and doors of vehicles unoccupied.
- Students with cars on campus must park cars in assigned, approved parking areas, and keep their vehicles locked at all times.
- Valuables, if kept in the car, should be locked in the trunk or hidden from view.
- Utilize well-lit walkways and parking lots on campus.
- Students should walk in pairs or groups when possible.
- Students are welcome to call Public Safety to utilize the JayWalk Safety Escort program to/from campus locations
- Students should report any suspicious activities or any unusual incidents in and around the residence halls or any other campus location to Public Safety as quickly as possible.

### ***Access Control***

The exterior doors or wing doors to residential spaces in all campus residence halls remain locked 24 hours per day and are controlled by individually programmed access cards. Residents are issued their appropriate access card when taking possession of their housing assignment on campus. Access cards allow access to specific approved locations, and care should be taken to safeguard all assigned keys and access cards appropriately. Lost or stolen keys and access cards should be immediately reported to the Department of Public Safety. Replacement keys and associated key lock will have a replacement fee for each affected key lock (ranging from \$75-\$300), depending on the type of door, lock and/or location) plus \$20 per required key replacement (including all other keys that are replaced for other common users). Replacement access cards will have a replacement fee of \$20 per access card. All campus community members are asked to refrain from allowing unknown persons to enter the building by opening or holding doors open, or propping doors. Housing and Residence Life staff walk the halls when they are on duty and Public Safety Officers periodically patrol the residence halls during the overnight hours. When a problem is found, written reports are turned in for appropriate corrective action. Visitors to the residence halls must contact a resident to be admitted to the building. These visitors must then be escorted by a student or staff member at all times while in the residence hall and the student or staff member assumes responsibility for the conduct of the guests. As a reminder, students are instructed to keep their individual room/apartment/house door locked, and refrain from loaning their assigned keys or access cards to anyone.

Entrances to classroom and administrative buildings are locked when buildings are not open for classes or business. During locked periods, public safety officers are available to permit identified and authorized persons access to these buildings.

## **LEGAL EXPECTATIONS ALCOHOL, DRUGS, AND WEAPONS POLICY**

Elmhurst University values the importance of providing a safe and welcoming learning environment that is conducive to the personal growth and development of every member of our campus community. To support the University's mission and our students' educational experience, certain expectations have been established to maintain a safe campus that is conducive to learning. The University community is subject to all federal, state, and local laws pertaining to the possession, use, and sale of alcoholic beverages, illegal drugs, and weapons on campus. The University is committed to compliance with the law, and when necessary, will cooperate with authorities.

In compliance with the Drug-Free Schools and Communities Act of 1989, it is the policy of Elmhurst University to provide an educational environment that is free of alcohol and drug abuse. The University recognizes the legal prohibition of the use and/or possession of drugs by students. The University does not condone student sale or use of drugs and will cooperate with any officials, as required by law.

The maintenance of the individual welfare, development, education and rehabilitation of its members is consonant with the mission of Elmhurst University. It should be further understood that the University may therefore take preventive or prohibitory action, whether or not legal authorities act, in reference to any University member whose behavior is deemed harmful to them or others.

### ***Alcohol Policy***

All members of the Elmhurst University community are expected to comply with all federal, state and local laws regarding alcoholic beverages and to take personal responsibility for their conduct. The legal age for the possession and use of all alcoholic beverages in the State of Illinois is 21. Students who are 21 years of age may possess and consume alcoholic beverages in their residential space, so long as all students consuming alcohol are 21 or older; there is respectful and appropriate behavior; and the doors of the room, apartment, or house are closed.

Any alcohol being transported on campus must be in unopened, sealed container(s), and hidden from being openly viewed (i.e. – carried in a bag or box.) Possession, consumption, and the purchase of alcohol shall be within the guidelines of all applicable laws and regulations. Fraudulent identification for the purpose of securing alcoholic beverages, providing and/or purchasing such beverages for minors is a violation of state and local law.

Students who have a guest on campus or in any University buildings are responsible for the conduct of the guest and for advising them of the applicable laws and Elmhurst University's policies pertaining to alcoholic beverages. Additionally, the distribution, consumption, and possession of alcoholic beverages is prohibited in non-residential buildings and on the grounds of Elmhurst University, unless alcohol has been approved to be served, sold, or otherwise available for consumption at a University-sponsored event, which requires prior approval by the University.

Any violation of these laws, regulations, or established expectations are subject to penalties, as noted within any applicable laws, or as outlined by the Elmhurst University Community Standards.

### ***Drug Policy***

The sale, distribution, use, or possession of illegal substances, prescription medication without an accompanying prescription, or drug paraphernalia is subject to all applicable federal, state, and local laws and is prohibited on Elmhurst University property.

On January 1, 2020, Illinois legalized the recreational use of marijuana (cannabis) for adults via the Cannabis Regulation and Tax Act. According to Illinois law, adults aged 21 and older can buy marijuana products from licensed medical marijuana dispensaries, with or without a medical marijuana card. Illinois law specifies the circumstances in which marijuana possession is or is not legal. Under specific circumstances, it is legal to possess marijuana or cannabis in Illinois. However, the law specifically prohibits marijuana use or possession from certain places and under certain circumstances, including public places, motor vehicles, and school grounds, among others.

The Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/), an Illinois law that permits the use of medical marijuana by persons possessing lawfully issued medical marijuana cards, also states: “Nothing in this Act shall prevent a university, college, or other institution of post-secondary education from restricting or prohibiting the use of medical cannabis on its property.” Additionally, Elmhurst University is required to certify that it complies with the Drug-Free Schools and Communities Act (20 U.S.C. 1145g part 86 of the Drug and Alcohol Abuse Prevention Regulations). The federal government regulates drugs through the Controlled Substances Act (21 U.S.C. A 811) which does not recognize the difference between medical and recreational use of marijuana.

Therefore, the University does not allow possession, use, manufacture, or distribution of any cannabis, THC (tetrahydrocannabinol) or CBD (cannabidiol) related products or byproducts on campus or at University-sponsored events off-campus.

### ***Guidelines for Substance Abuse Counseling/Treatment***

Students are encouraged to reflect very seriously upon their own attitudes and actions regarding alcohol or drug abuse and to seek out information and counseling assistance through Elmhurst University Counseling Services, Student Health Services, the Director of Student Support Services and Intervention, or other staff as may be most appropriate. All currently enrolled students may obtain counseling through Counseling Services at Elmhurst University located in the lower level of Niebuhr Hall.

To make an appointment to see a counselor, call (630) 617-3565. Referrals to resources in the community can also be provided. A selection of some of these relevant resources include:

- *Alcoholics Anonymous*: (630) 833-7897 for the local Elmhurst chapter.
- *Linden Oaks Behavioral Health Services*: (630) 305-5027 Call this center to make an appointment for a free assessment.
- *SHARE*: Call (847) 882-4181 and ask for free phone intake. Inpatient and outpatient alcohol and drug treatment are available on a sliding fee scale. There is usually a waiting list, but they will also provide referrals for treatment elsewhere.

Other off-campus referrals and resources are available from Counseling Services.

### ***Weapons Policy***

While Illinois has enacted the Firearm Concealed Carry Act (430 ILCS 66/10) authorizing properly screened, trained, and permitted persons (licensees) to carry a concealed firearm in the state, numerous locations have been designated as “prohibited areas” where firearms may not be carried. University campuses, including Elmhurst University, are specifically identified as “prohibited areas” under the Act. As required under Illinois law, firearms, including any live ammunition, are not permitted in campus buildings or on property owned, leased, or controlled by the University, with the limited exception described below.

A licensee may carry a concealed firearm on their person within a vehicle in a campus parking lot or stored out of view in a locked vehicle or in a locked container within the vehicle, as specified in the law. Licensees may only exit the vehicle with a firearm to move it from the passenger compartment to the trunk and may not leave the immediate area with the firearm or delay in securing it. The Act requires that the firearm be unloaded prior to exiting the vehicle.

Elmhurst University has identified University-owned and leased vehicles as “prohibited areas” under the Act. Firearms may not be carried or stored in University-owned vehicles.

Unauthorized possession of a firearm or other weapon, or use or threatening to use a real or simulated weapon, is a violation of University policy, and may result in disciplinary action, up to and including expulsion from the University for students, and termination of employment for faculty and staff, in addition to any criminal charges which may be filed.

The Department of Public Safety is responsible for investigating any actual or suspected weapons policy violations and enforcing the established Concealed Carry restrictions on any campus or property that is owned, leased, or controlled by Elmhurst University. Any questions can be directed to the Department of Public Safety by calling (630) 617-3000 or x3000 from any campus phone.

### **COPYRIGHT INFRINGEMENT**

Copyright infringement is the act of exercising, without permission or legal authority, one or more exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504-505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office, especially the FAQ: [copyright.gov/help/faq](http://copyright.gov/help/faq).

In addition to potential civil and criminal penalties, unauthorized distribution of copyrighted material, including (but not limited to) unauthorized peer-to-peer file sharing, constitutes a violation of the University’s Code of Conduct and the Technology Use Agreement and may result in disciplinary action by the University.

### **PRIVACY OF RECORDS**

The Family Educational Rights and Privacy Act of 1974 is a federal law (20 U.S.C. 1232g) designed to protect the privacy of student education records. The complete FERPA policy can be found in the Elmhurst University Catalog. <https://catalog.elmhurst.edu/policies/ferpa>

### **SEX OFFENDER REGISTRY**

Illinois law requires sex offenders to register, in person, with the State of Illinois and other local law enforcement agencies. Sex offenders must also register with the University’s Executive Director of Public Safety at the Department of Public Safety within three days of registering for classes or accepting employment at the University. Registered sex offenders are also required to notify the Executive Director of Public Safety when leaving the University, including at semester breaks, and must update the registration in person prior to each academic term, including January Term and Summer Term.

Additionally, sex offenders may have an obligation to register with the appropriate law enforcement jurisdiction in which they live. For residents of the



City of Elmhurst, sex offenders must register with the Elmhurst Police Department, located at 125 E. First Street, Elmhurst, IL.

The Illinois State Police make the identity, photograph, and address of registered sex offenders available to the public through the Sex Offender Registration Database: <https://isp.illinois.gov/Sor>. Additionally, the DuPage County Sheriff's Office maintains a sex offender registry that members of the general public can access by visiting their website at: [dupagesheriff.org/programsandservices/safety/129/](http://dupagesheriff.org/programsandservices/safety/129/). If you are concerned about the presence of sex offenders on or near campus, you may search these databases by name or geographic location.

## **UNIVERSITY PRIVILEGES AND EXPECTATIONS TECHNOLOGY ACCEPTABLE USE POLICY**

### ***Purpose***

Elmhurst University's technology infrastructure exists to support the institution and administrative activities needed to fulfill the institution's mission. Access to these resources is a privilege that should be exercised responsibly, ethically and lawfully.

The purpose of this Acceptable Use Policy is to clearly establish each member of the institution's role in protecting its information assets and communicate minimum expectations for meeting these requirements. Fulfilling these objectives will enable Elmhurst University to implement a comprehensive system-wide Information Security Program.

### ***Scope***

This policy applies to all users of computing resources owned, managed or otherwise provided by the institution. Individuals covered by this policy include but are not limited to all workforce members and service providers with access to the institution's computing resources and/or facilities. Computing resources include all Elmhurst University owned, licensed or managed hardware and software, email domains and related services and any use of the institution's network via a physical or wireless connection, regardless of the ownership of the computer or device connected to the network.

### ***Privacy***

Elmhurst University will make every reasonable effort to respect a user's privacy. However, employees do not acquire a right of privacy for communications transmitted or stored on the institution's resources. Additionally, in response to a judicial order or any other action required by law or permitted by official Elmhurst University policy or as otherwise considered reasonably necessary to protect or promote the legitimate interests of the institution, the President or an employee designated by the President may authorize an Elmhurst University official or an authorized agent, to access, review, monitor and/or disclose computer files associated with an individual's account. Examples of situations where the exercise of this authority would be warranted include, but are not limited to, the investigation of violations of law or the institution's rules, regulations or policy, or when access is considered necessary to conduct Elmhurst University business due to the unexpected absence of an employee or to respond to health or safety emergencies.

### ***Policy***

Activities related to Elmhurst University's mission take precedence over computing pursuits of a more personal or recreational nature. Any use that disrupts the institution's mission is prohibited.

Following the same standards of common sense, courtesy and civility that govern the use of other shared facilities, acceptable use of information technology resources generally respects all individuals' privacy, but subject to the right of individuals to be free from intimidation and harassment. All users of Elmhurst University's computing resources must adhere to the requirements enumerated below.

#### *Fraudulent and Illegal Use*

Elmhurst University explicitly prohibits the use of any information system for fraudulent and/or illegal purposes. While using any of the institution's information systems, a user must not:

- Engage in any activity that is illegal under local, state, federal, and/or international law.
- Violate the rights of any individual or company involving information protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of pirated or other software products that are not appropriately licensed for use by Elmhurst University.
- Use for purposes that violate Federal or State laws, this includes copyright laws that prohibit the downloading or distribution of copyright protected data such as music, video, videogames, etc.
- Export software, technical information, encryption software, or technology in violation of international or regional export control laws.
- Issue statements about warranty, expressed or implied, unless it is a part of normal job duties, or make fraudulent offers of products, items, and/or services.

Any user that suspects or is aware of the occurrence of any activity described in this section, or any other activity they believe may be fraudulent or illegal, must notify his/her manager immediately.

If any user creates any liability on behalf of Elmhurst University due to inappropriate use of the institution's resources, the user agrees to indemnify and hold the institution harmless, should it be necessary for Elmhurst University to defend itself against the activities or actions of the user.

#### *Confidential Information*

Elmhurst University has both an ethical and legal responsibility for protecting confidential information in accordance with its Data Classification Policy. To that end, there are some general positions that the institution has taken:

- Transmission of confidential information by end-user messaging technologies (for example, e-mail, instant messaging, SMS, chat, etc.) is prohibited.
- The writing or storage of confidential information on mobile devices (phones, tablets, USB drives) and removable media is prohibited. Mobile devices that access confidential information will be physically secured when not in use and located to minimize the risk of unauthorized access.
- All workforce members and service providers will use approved workstations or devices to access institution's data, systems, or networks. Non-institution owned workstations that store, process, transmit, or access confidential information are prohibited. Accessing, storage, or processing confidential information on home computers is prohibited.
- All company portable workstations will be securely maintained when in the possession of workforce members. Such workstations will be handled as carry-on (hand) baggage on public transport. They will be concealed

and/or locked when in private transport (e.g., locked in the trunk of an automobile) when not in use.

- Photographic, video, audio, or other recording equipment will not be utilized in secure areas.
- All confidential information stored on workstations and mobile devices must be encrypted.
- All workforce members who use institution-owned workstations will take all reasonable precautions to protect the confidentiality, integrity and availability of information contained on the workstation.
- Institution employees and affiliates who move electronic media or information systems containing confidential information are responsible for the subsequent use of such items and will take all appropriate and reasonable actions to protect them against damage, theft and unauthorized use.
- Institution workforce members will activate their workstation locking software whenever they leave their workstation unattended or will log off from or lock their workstation when their shift is complete.

#### *Harassment*

Elmhurst University is committed to providing a safe and productive environment, free from harassment, for all employees. For this reason, users must not:

- Use institution information systems to harass any other person via e-mail, telephone, or any other means, or
- Actively procure or transmit material that is in violation of sexual harassment or hostile workplace laws.

If a user feels they are being harassed through the use of the institution's information systems, the user must report it, in writing, to their supervisor or any department head. Students should consult the Title IX Reporting Procedures on the Elmhurst University website to report any harassment. The University's full Non-Discrimination and Non-Harassment Policy is available at [elmhurst.edu/TitleIX](http://elmhurst.edu/TitleIX).

#### *Incident Reporting*

Elmhurst University is committed to responding to security incidents involving personnel, institution-owned information or institution-owned information assets. As part of this policy:

- The loss, theft or inappropriate use of institution access credentials (e.g. passwords, key cards or security tokens), assets (e.g. laptop, cell phones), or other information will be reported to the OIS Service Desk.
- An institution workforce member will not prevent another member from reporting a security incident.

#### *Malicious Activity*

Elmhurst University strictly prohibits the use of information systems for malicious activity against other users, the institution's information systems themselves, or the information assets of other parties.

Denial of Service - Users must not:

- Perpetrate, cause, or in any way enable disruption of Elmhurst University's information systems or network communications by denial-of-service methods;
- Knowingly introduce malicious programs, such as viruses, worms, and

Trojan horses, to any information system;

- Intentionally develop or use programs to infiltrate a computer, computing system, or network and/or damage or alter the software components of a computer, computing system or network; or
- Act in any way that interferes with or disrupts other network users, services, or equipment.

Confidentiality – Users must not:

- Perpetrate, cause, or in any way enable security breaches, including, but not limited to, accessing data of which the user is not an intended recipient or logging into a server or account that the user is not expressly authorized to access;
- Facilitate use or access by non-authorized users, including sharing their password or other login credentials with anyone, including other users, family members, or friends;
- Use the same password for Elmhurst University accounts as for other non-Elmhurst University access (for example, personal ISP account, social media, benefits, email, etc.);
- Access or attempt to access restricted data files, software, or systems without authorization; or
- Make copies of another user's files without that user's knowledge and consent.
- All encryption keys employed by users must be provided to Information Services if requested, in order to perform functions required by this policy.
- Base passwords on something that can be easily guessed or obtained using personal information (e.g. names, favorite sports teams, pets, etc.).

Impersonation – Users must not:

- Circumvent the user authentication or security of any information system;
- Add, remove, or modify any identifying network header information (“spoofing”) or attempt to impersonate any person by using forged headers or other identifying information;
- Create and/or use a proxy server of any kind, other than those provided by Elmhurst University, or otherwise redirect network traffic outside of normal routing with authorization; or
- Use any type of technology designed to mask, hide, or modify their identity or activities electronically.

Network Discovery – Users must not:

- Use a port scanning tool targeting either Elmhurst University's network or any other external network, unless this activity is a part of the user's normal job functions, such as a member of the Office of Information Services, conducting a vulnerability scan, and faculty utilizing tools in a controlled environment.
- Use a network monitoring tool or perform any kind of network monitoring that will intercept data not intended for the user's, unless this activity is a part of the user's normal job functions.

#### *Objectionable Content*

Elmhurst University strictly prohibits employee use of institutional information systems for accessing or distributing content that other users may find objectionable. Employees must not post, upload, download, or display messages, photos, images, sound files, text files, video files, newsletters, or related materials considered to be:

- Political
- Racist
- Sexually-explicit or pornographic
- Violent or promoting violence

#### *Hardware and Software*

Elmhurst University strictly prohibits the use of any hardware or software that is not purchased, installed, configured, tracked, and managed by the institution to access confidential or sensitive data. Users must not:

- Install, attach, connect or remove or disconnect, hardware of any kind, including wireless access points, storage devices, and peripherals, to any institutional information system without the knowledge and permission of Information Services;
- Download, install, disable, remove or uninstall software of any kind, including patches of existing software, to any institutional information system without the knowledge and permission of the institution;
- Use personal flash drives, or other USB based storage media, without prior approval from their manager; or
- Take Elmhurst University equipment off-site without prior authorization.

#### *Messaging*

The institution provides a robust communication platform for users to fulfill its mission. Users must not:

- Automatically forward electronic messages of any kind, by using client message handling rules or any other mechanism unless exceptions have been formally reviewed and approved by Vice President for Operations and Technology or assigned delegate;
- Send unsolicited electronic messages, including “junk mail” or other advertising material to individuals who did not specifically request such material (spam);
- Solicit electronic messages for any other digital identifier (e.g. e-mail address, social handle, etc.), other than that of the poster’s account, with the intent to harass or to collect replies; or
- Send chain letters through electronic email.

#### *Remote Working*

When working remote, user must:

- Be given explicit approval from the Vice President overseeing the Office of Information Services, or their designate.
- Safeguard and protect any institution-owned or managed computing asset (e.g. laptops and cell phones) to prevent loss or theft.
- Not utilize personally owned computing devices for Elmhurst University work, including transferring Elmhurst University information to personally-owned devices, unless approved by the Vice President overseeing the Office of Information Services, or their designate.
- Take reasonable precautions to prevent unauthorized parties from utilizing computing assets or viewing Elmhurst University information processed, stored or transmitted on institution-owned assets.
- Not create or store confidential or private information on local machines unless a current backup copy is available elsewhere.

- Not access or process confidential information in public places or over public, insecure networks.
- Only use approved methods for connecting to the institution (e.g. VPN).

#### *Lab Use*

Lab facilities and services are for academic use only. They are to be used in an efficient, ethical, and legal manner. To this end, and consistent with the general principles governing our academic community, users are expected to:

- Learn appropriate uses of software, keep archives and backup copies of important data, and take reasonable precautions against contracting and propagating computer viruses, malware, etc.
- Clean up after themselves, especially if consuming food or drink in the lab.
- Avoid printing unnecessary output or more than two copies of any file.
- Occupying the labs or using lab facilities at any time other than during lab operating hours.\*
- Installing, removing or modifying the installation of any software or supporting files on lab computers.\*\*
- Moving, repairing, or modifying the equipment or network or attaching an external device to it.\*\*

\*Students who are enrolled in graduate-level Computer Science classes may use designated labs during the school term on a 24-hour basis. Certain labs may have restricted hours due to undergraduate use or scheduled maintenance.

\*\*Not applicable where these activities are a part of the curriculum or are directed by a responsible Elmhurst University official.

#### *Other*

In addition to the other parts of this policy, users must not:

- Stream video, music, or other multimedia content unless this content is required to perform the user's normal business functions (not applicable to students, except when performing work duties for the University);
- Use the institution's information systems for commercial use or personal gain; or
- Use the institution's information systems to play games or provide similar entertainment (not applicable to students, except when performing work duties for the University).
- Use for a private enterprise or not-for-profit institution unless authorized by the University.
- Create or transmit lewd, obscene, hateful, bigoted, or discriminatory material or information.

#### ***Roles and Responsibilities***

Elmhurst University reserves the right to protect, repair, and maintain the institution's computing equipment and network integrity. In accomplishing this goal, Elmhurst University Information Services personnel or their agents must do their utmost to maintain user privacy, including the content of personal files and internet activities. Any information obtained by IS personnel about a user through routine maintenance of the institution's computing equipment or network should remain confidential, unless the information pertains to activities that are not compliant with acceptable use of Elmhurst University's computing resources.

### ***Enforcement***

Enforcement is the responsibility of the institution's President or designee. Users who violate this policy may be denied access to the institutional resources and may be subject to penalties and disciplinary action both within and outside of Elmhurst University. The institution may temporarily suspend or block access to an account, prior to the initiation or completion of disciplinary procedures, when it reasonably appears necessary to do so in order to protect the integrity, security, or functionality of the institution or other computing resources or to protect Elmhurst University from liability.

Users are subject to disciplinary rules described in the Employee Handbook, Student Handbook, and other policies and procedures governing acceptable behavior.

### ***Exceptions***

Exceptions to the policy may be granted by the Vice President for Operations and Technology, or by their designee. All exceptions must be reviewed annually.

### ***References***

- The Gramm - Leach Bliley Act (GLBA)
- Family Educational Rights and Privacy Act (FERPA)
- NIST 800-53
- FIPS-199
- PCI DSS 3.1
- Code of Ethics of the American Library Association

### **UNIVERSITY ID CARD (JAYPASS)**

Students should be prepared to identify themselves by showing their University identification card (Jaypass) upon request. Failure by an Elmhurst University student to produce an ID card may result in disciplinary action. Lending, selling, duplicating, or reproducing the ID is considered a violation of University conduct expectations. The use of a Jaypass by anyone other than its original holder is prohibited. A student who loses their Jaypass may request a duplicate from the Department of Public Safety, located in the lower level of Lehmann Hall. A \$20 fee will be charged for each replacement. To take advantage of many University services and activities, a student will be required to show their Jaypass. Some services that require a Jaypass are the Library to check out materials, the Cafeteria for students on a meal plan, use of the Tyrrell Fitness Center, and the bookstore to sell textbooks back at the end of a term. A student may obtain their Jaypass during registration or anytime thereafter at the Department of Public Safety office.

### **COMMERCIAL ENTERPRISE**

Commercial organizations may not establish auxiliary enterprises on the campus and may not use University facilities without written consent of the Vice President for Business and Finance. This includes organizations owned, operated by, or employing a student or alumni of the University. No person or organization may use the University name without prior consent and/or licensing agreement. This includes the use of "Elmhurst University," "EU," the University seal, logo, or other identifying symbols. For more information regarding the licensed use of the University name and related symbols, contact the Office of Marketing and Communications at [marketing@elmhurst.edu](mailto:marketing@elmhurst.edu).

### **FACILITIES USE POLICY**

Elmhurst University facilities may be reserved by recognized student organizations and individuals within the University community for regular business meetings and/or social programs. Room availability, reservations, and policies for space usage are accessed through the Virtual Coursedog

Scheduler on the myElmhurst portal at [my.elmhurst.edu](https://my.elmhurst.edu).

For additional assistance, please contact the Scheduler (Conference & Event Services, Division of Student Affairs) via email at [schedule@elmhurst.edu](mailto:schedule@elmhurst.edu).

## **FINANCIAL INFORMATION**

### **FINANCIAL AGREEMENT**

By registering for courses at Elmhurst University, students are entering into a contractual arrangement with Elmhurst University, whereby they agree to comply with all laws, rules and regulations applicable to their registration, payment of fees, enrollment and attendance. Included in the rules and regulations that comprise the terms and conditions of this contract are those contained in this document and the Elmhurst University Catalogue, eBook and Academic Calendars that are in effect during the years of the student's enrollment. All students are responsible for reviewing, understanding, and abiding by the University's regulations, procedures, requirements and deadlines as described in official University publications.

Students further understand and agree that their registration and acceptance of these terms constitute a promissory note agreement (i.e., a financial obligation in the form of an educational loan as defined by the U.S. Bankruptcy Code at 11 U.S.C. §523(a)(8)) in which Elmhurst University is providing educational services, deferring some or all payment obligations for those services, and students promise to pay for all assessed tuition, fees and other associated costs by the published or assigned due date.

### **PAYMENT DUE DATES**

All tuition, fees, charges and expenses are due on the 15th of the month prior to the start of each academic term and are the student's responsibility to pay. In lieu of payment in full at the beginning of a term, students may enroll in a monthly payment plan.

### **EMAIL AND ONLINE STATEMENTS**

The official University method of communication with current and former students is email sent to students' EU email addresses. Electronic billing is the official method for billing all current and former students with outstanding account balances. Account statements are updated monthly. Current and former students are notified via Elmhurst University email when statements are available for viewing. Electronic statements can be viewed by clicking the TouchNet icon on the EU student portal. Failure to view the account statement online does not constitute a valid reason for not paying a bill by the payment deadline.

### **BUSINESS HOLDS**

Students with accounts that are not paid in full at the beginning of the term or are not enrolled in a monthly payment plan will be placed on a business hold. Students with business holds will not be permitted to register for future terms or receive diplomas until the balance is paid. Additionally, as a condition of continued registration in a future term, a student must remain in good financial standing during the current term. Students who do not stay in good financial standing may be administratively dropped from their future course registration and remain so until payment is made to clear any past due balance. Payments made within 30 days of the start of a new semester will be held for 10 business days, if not made by certified funds before a business hold will be removed.

### **WITHDRAWALS**

It is the student's responsibility to cancel registration by dropping all courses before classes begin if the student does not wish to attend Elmhurst University.



Failure to pay fees, failure to receive financial aid, failure to attend class or refusing financial aid does not constitute an official withdrawal. Enrollment will not be automatically cancelled for failure to pay tuition and fees. Failing grades will be assigned to classes which a student is registered but does not attend. When a student withdraws from the University or drops a course, charges will be computed according to the length of the course and number of calendar days into a term the drop/withdrawal takes place. The effective date of withdrawal from individual courses is the date the request for a withdrawal is presented to the Office of Registrations and Records. Withdrawal from Elmhurst University after the start of the semester may subject the student to tuition and fee liability in accordance with the University's refund policy. Students are encouraged to discuss the financial implications of their withdrawal with the Office of Student Financial Services before making the decision to withdraw.

For the full withdrawal policy, see: [elmhurst.edu/admission/financial-aid/policies-faqs/withdrawal-and-return-of-federal-funds/](http://elmhurst.edu/admission/financial-aid/policies-faqs/withdrawal-and-return-of-federal-funds/)

### **FINANCIAL AID**

Aid included in a student's Financial Aid Offer does not represent actual or guaranteed payment but is an estimate of the aid they may receive if they meet all requirements as defined by the respective aid programs. Financial aid will only be credited to account balances (including tuition, fees, housing, meal plans, and other direct costs) after all applicable financial aid processes are completed and loan funds have been secured. Finance charges may be added to account balances for which financial aid has not yet been credited by the published payment due date(s).

Financial aid is contingent upon continued enrollment and attendance upon which a student's financial aid eligibility was calculated. If a student drops a class before completion, their financial aid eligibility may change, and they may become ineligible for some, or all of the financial aid awarded. If after receiving a credit balance refund, a student has their aid reduced, has additional charges, or withdraws from all courses, they will be responsible for paying any resulting balance due and payable to Elmhurst University.

All prizes, awards, scholarships, and grants awarded by Elmhurst University or third-party organizations will be credited to the student account and applied toward any outstanding balance. Receipt of the above awards is considered financial assistance according to federal Title IV regulations and may therefore reduce eligibility for other financial aid which, if already disbursed to the student account, may be reversed and returned to the source.

The sum of all tuition-restricted financial aid, including most Elmhurst University aid not designated for housing/meal plan, may not exceed the tuition charges for a given term.

### **DEBT COLLECTION**

Elmhurst University will pursue any and all collection efforts and practices, allowable by law, including referring the account to billing agencies, collection agencies and/or attorneys. The student is responsible for all additional collection charges associated with the collection of the debt including but not limited to collection agency fees, reasonable attorney's fees, court costs and all other charges allowed by law. These costs may add over one-third more to the balance due. Once an account has been referred to a collection agency, the additional collections fees cannot be removed from the account and the student must make all payment arrangements with the collection agency. For the full details of student financial responsibility

The full Statement of Financial Responsibility and additional information regarding financial obligations is available at [elmhurst.edu/FinancialResponsibility](http://elmhurst.edu/FinancialResponsibility).

## **INSURANCE FOR PROPERTY**

Compensation for loss or damage to personal property on campus is not a University responsibility. Residential students are encouraged to consider obtaining a renter's insurance policy. If a dependent, the student should check their parent or guardians' respective insurance policies.

## **SMOKE-FREE BUILDING POLICY**

Smoking, vaping, or selling smoking/tobacco products is prohibited in any campus buildings, vehicles, and in all residential facilities (houses, apartments, and residence halls). Smoking is not permitted within 15 feet of any doors or windows of any campus building. As a L.E.E.D. certified building, smoking is not permitted within 25 feet of a door or window of West Hall. For your convenience, ashtrays are located outside every building. Elmhurst University considers e-cigarettes and vape pens equivalent to tobacco-based cigarettes, and subject to the same smoke-free building policy.

## **STUDENT INVOLVEMENT POLICIES**

### **CAMPUS EXPRESSION POLICY**

Freedom of expression is a core tenet in any democracy and Elmhurst University respects that freedom. However, with freedom comes responsibility, and as such the University has crafted the guidelines described below.

### **TIME, PLACE, AND MANNER GUIDELINES FOR PUBLIC EXPRESSION**

All expression is subject to the following restrictions of time, place, and manner.

Demonstrations, speakers, the distribution or posting of leaflets, statements, petitions, chalking, and other forms of public expression are permitted on the campus with reasonable restrictions of time, place, and manner. Public expression includes assemblies, demonstrations, debates, forums, rallies, protests, picketing, speakers, etc. that are held on University property and are open to the general campus community. The following rules apply:

1. Public expression cannot be unlawful and must not violate or conflict with local, state, or federal law.
2. Public expression must not violate University policy and cannot jeopardize public or individual safety.
3. The public expression of views and opinions cannot prevent, unduly obstruct, or interfere with the normal operations of the University, including:
  - a. Academic activities, such as classes, labs, and activities in any academic building, etc.
  - b. Business activities of the University.
  - c. Events or speakers hosted in accordance with University policy by academic departments, administrative departments, or registered student organizations.
  - d. The functioning of University residence hall communities.
  - e. Access to any University facilities.
  - f. Violence or the threat of violence to any member within the University campus community.
  - g. Impeding the free flow of pedestrian or vehicular traffic.
4. Non-university individuals and organizations are not permitted to be involved in public expression on University property unless they are invited and sponsored by a recognized student organization, academic

- department, or administrative office.
5. The University reserves the right to relocate or suspend any event that becomes disruptive to the normal operations of the University or that violates University policy.
  6. The University reserves the right to cancel any event, including on the day of, when credible information has been received that there is a serious threat or safety risk to campus, either related or not related to the event.
  7. The University reserves the right to remove non-University individuals from campus if they have been deemed to pose a threat to individuals or the campus community as a whole.
  8. The University reserves the right to restrict the building of any structure or the placement of flags, decorations, or other objects in the campus public space in association with public expression.
  9. The University reserves the right to restrict the use of outdoor sound amplification in association with any public expression activity.
  10. The University reserves the right to prohibit third-party political, religious, etc. groups from soliciting on campus.
  11. Recording of any event in association with public expression may be prohibited.
  12. No open flames or torches will be allowed unless disclosed beforehand on the required request form and approved by the appropriate vice president and the Office of Public Safety.
  13. The University recognizes that individuals or groups may be opposed to certain acts of public expression for a variety of reasons. Disagreement with differing opinions is acceptable; however, the University will not tolerate hindering or obstructing an event that has been approved by the University.
  14. The University will not tolerate the posting of information, images, and language that contain profanity, vulgarity, or other offensive language/ images (members of the President's Cabinet will determine if language/ images are considered offensive when brought to their attention). Postings that are not in compliance with this policy will be removed immediately.
  15. Chalking is permitted on concrete walkways or asphalt in areas open to the weather. Chalking is not permitted on any other public surfaces, including buildings, walls, covered entryways, steps, and patios. It is a violation of this policy to remove chalking that is in accordance with this policy.

### **SPONSOR RESPONSIBILITIES**

A sponsor, defined as a student organization, academic department, or administrative office hosting an individual or organization engaged for an on-campus event, must reserve a space on campus using Coursedog to guarantee an available location. Sponsors must complete a form requesting permission to have an event on campus. The form, which can be found [here](#), will require the following information: details about the event; a statement of purpose for the event; an advisor acknowledgment (for student organizations only); reservation of space; and a brief description of how the event will be funded. Additionally, the Office of Public Safety must be notified of the event at least twenty-one (21) calendar days before the event to determine the following: 1) whether security is required for the event; 2) if security is required, whether the University has the personnel to cover the event; and 3.) whether

the security needs for the proposed event exceed what can be provided, in which case the University cannot support the event.

Sponsoring organizations need institutional approval from the appropriate vice president to sponsor an event on campus. Student organizations must receive written approval from the Vice President for Student Affairs. Academic departments must receive written approval from the Vice President for Academic Affairs and Dean of the Faculty. Administrative offices must receive written approval of their respective vice president. If the respective vice president denies a request for an event, the sponsoring organization may request an appeal to be heard by the President's Cabinet (all the vice presidents for the University). The appeal must be submitted within five (5) business days of the denial via email to the President's Office Chief of Staff at [president@elmhurst.edu](mailto:president@elmhurst.edu). The appeal must provide a reasonable basis for reversal of the denial decision. The President's Cabinet will email a final decision within ten (10) business days.

### **VIOLATIONS**

If appropriate, sanctions and/or remedial measures will be issued to any individual, office, or student organization who is in violation of this policy. Students violating this policy will face penalties commensurate with the seriousness of the offense, up to and including suspension or expulsion from the University. Employees in violation of this policy are subject to disciplinary action and will be referred to Human Resources. Employees may face probation or separation from the University, depending on the seriousness of the policy violation. Violations of this policy by non-University individuals or groups will be referred to the Elmhurst Police Department. Arrests and criminal charges may be imposed by the Elmhurst Police Department.

### **MEDIA**

1. An enrolled student, an invited group, or a recognized student organization may distribute written material on campus without prior approval providing such distribution does not disrupt the operations of the institution. For informational purposes, however, a copy of all materials distributed should be provided to the Office of Marketing and Communications and the Vice President for Student Affairs before distribution.
2. The student press is to be free of censorship. The student press shall consist of all student publications officially recognized by the University. The editors and managers will not be arbitrarily suspended because of student, faculty, administration, alumni, or community disapproval of editorial policy or content. Similar freedom is assured oral statements of editorial views on WRSE-FM. This editorial freedom entails a corollary obligation under the canons of responsible journalism and applicable regulations of the Federal Communications Commission.
3. The Leader, WRSE, and MiddleWestern Voice will all be part of a media board.
4. All student communications shall explicitly state on the editorial page or in broadcast that the opinions expressed are not necessarily those of Elmhurst University or its student body.
5. The management of each media organization shall be responsible for the daily functions of their respective organization. Each media organization is responsible for the general maintenance of its equipment.

### **POSTING**

1. All materials to be posted in the Frick Center must be stamped and dated at the Information Desk. Any advertisement posted without

- authorization will be removed and recycled.
2. Posters may be brought to the Information Desk at any time during operating hours to be stamped. Once stamped, the organization is responsible for hanging up their posters around the building.
  3. Postings are not allowed on doors, walls, or anywhere that is not clearly a poster area.
  4. Organizations and departments can post a maximum of 10
  5. advertisements in the Frick Center per event.
  6. Materials may not be larger than 12 x 18
  7. Materials may not contain any artwork or language that contributes to the creation of a hostile environment.
  8. Materials may not display or mention alcohol or other drugs.
  9. Materials may not block electrical outlets, switches, handicap switches, emergency equipment, exit signs, mailboxes or light fixtures.
  10. Only one sign per event per board is allowed.
  11. Posters may not be placed on bulletin boards assigned to specific organizations or groups.
  12. Posters may not be placed over another organization's poster.
  13. Expired posters will be removed and administered by Frick Center staff.

For any questions, please contact the Dean of Students/Director of the Frick Center.

### **SOLICITATION**

Each year, the University receives requests from students, community, and national agencies to sell products or services on the campus. No individual solicitation of any kind will be permitted except when students wish to market a product or service that is unavailable through present campus agencies and is needed by the campus community as determined by the Dean of Students/Director of the Frick Center. No food and/or drink can be sold on-campus (other than the contracted dining company). Recognized student organizations may, however, solicit for worthy projects. Permission for solicitation must be obtained from the Office of Student Involvement. All organizations or individuals not affiliated with the University who wish to distribute printed materials must work with the Dean of Students/Director of the Frick Center.

### **STUDENT ORGANIZATIONS**

Student organizations, fraternities and sororities, intercollegiate athletics, intramural sports, and performing arts groups that are consistent with the University mission and values may be established. Recognition by Elmhurst University implies neither the University's approval nor disapproval of the aims, objectives, or policies of the organizations.

#### ***Recognition as a Student Organization***

For a student organization to function at Elmhurst University, it must first be recognized by the University. At Elmhurst University, that recognition originates with the Student Government Association. In addition to this formal recognition, each student organization must be registered with the Office of Student Involvement each semester within the *Bluejay Life* information management system.

For a student organization to maintain its recognition with the University, it must send appropriate representation to Student Organization Resource Training

each year, register the group through *Bluejay Life* each semester and attend Student Government Association legislator meetings. It is required that in order for student organizations to host events on campus, they must register the event two weeks in advance on Bluejay Life. Failure to register the event or host an event after it was denied may result in a student conduct hearing.

Should a student organization at any time alter its original statement of purpose or constitution so as to constitute a major change in structure or intent of the organization, the draft of the new statement or constitution must be reviewed and approved by the Student Government Association before the organization takes a final vote on the new instrument if it wishes to maintain its recognition.

### ***Recognition of Social Fraternity and Sorority Chapters***

Elmhurst University shall continue to recognize a social sorority or fraternity chapter, provided its members comply with all applicable local, state, and federal laws, as well as all applicable University rules and regulations.

### ***Eligibility***

To represent the University in any activity or experience or to hold office in a recognized student organization, students must be in good academic standing (defined by the University as a 2.0 GPA). Eligibility for social sorority and fraternity chapters may vary according to national fraternity and sorority requirements; however, social fraternity and sorority establishment and membership at Elmhurst University requires that the students be in good academic standing. Intercollegiate athletic eligibility is determined by the standards set by the CCIW and the NCAA. A student's eligibility in all groups may be affected by student conduct proceedings.

Students are expected to demonstrate thoughtful, principled leadership in their decision-making and actions. Eligibility and/or participation in all groups, including leadership positions that represent the University, may be impacted by adherence to, consideration for and responsiveness to the University's Community Standards and Code of Academic Integrity.

Those students having outstanding conduct matters, such as incomplete sanctions, unresolved alleged policy violations, or a repetition of Community Standards violations can expect to have participation in a group or leadership opportunity reviewed by University staff.

### ***Faculty/Staff Advisors***

Student organizations and social fraternity and sorority chapters are required to have an advisor who is a member of either the faculty or the staff of Elmhurst University. If the advisor resigns, the group has the responsibility to find a new advisor. Some general guidelines for advisors are to:

1. Meet regularly with executives of the organization to discuss goals, planning of events, and other needs of the group.
2. Act as a fiscal advisor for the group. If the group is using student activity fees, the advisor will ensure that funds are spent in accordance with the guidelines outlined with the Office of Student Involvement and Student Government Association.
3. Ensure that the organization files the appropriate recognition and registration forms annually.
4. Attend organization meetings when appropriate.
5. Ensure that the group is practicing good, proactive risk management regarding organizational events, off-campus travel, and when contracting off-campus programs and services.

6. Act as a resource for members of the organization while directing them to the appropriate University departments for assistance.
7. Review the Student Handbook and the Student Organization Advisor Manual as needed with the organization President and/or executive board. The Student Organization Advisor Manual can be found on *Bluejay Life*.

For any questions, please contact the Dean of Students/Director of the Frick Center.

### ***Responsibilities of Student Groups***

Student groups are expected to comply with the rules and regulations of Elmhurst University. Organizations can and will be held responsible for their actions. Any organization or group that engages in illegal activities on or off campus may have sanctions imposed against it, including withdrawal of institutional recognition. Student organizations will be held accountable for violations of the Elmhurst University Community Standards or any other institutional policies, and will be subject to the University's conduct procedures as defined in the University's conduct process.

### ***Budgets***

Most student groups do not receive funding from Elmhurst University, but Cooperative Funding is available to aid them in their programming efforts. Student Activity Fees may not be used to purchase alcohol, drugs, or illegal substances, and must be used in accordance with the Office of Student Involvement and Student Government Association funding bylaws. More information on Cooperative Funding can be found on *Bluejay Life*.

If a recognized student organization collects revenue from an event or fundraiser, or accepts charitable gifts, it must immediately work with University staff to ensure proper responsible cash management.

### ***Chalk***

The use of water-soluble chalk as a form of advertisement is permitted on sidewalks with the exceptions of the following locations: Hammerschmidt Chapel, Goebel Hall, Lehmann Hall, the patio of the Frick Center (mall side), the Mall, the east entrance of the Frick Center, A.C. Buehler Library, Kranz Forum, and Alumni Circle. Use of spray chalk is prohibited. Organizations should use good judgment in the timing and design when using chalk. Students should consult with the Dean of Students/Director of the Frick Center if they have any questions.

### ***Event Security***

Special events meeting any of the following criteria must have uniformed, trained and state-certified security personnel present at the event:

- All dance parties featuring live music or a DJ that extend beyond 11:00 p.m.
- Any University-sponsored social event where alcohol has been approved to be served, sold, or otherwise available for consumption
- Any social event with an expected attendance of 75 or more people that extends the closing hours of a non-residential campus building

Security personnel must be secured through the Department of Public Safety. The request for security coverage must be made at least 10 business days in advance of the event. The number of security personnel required for the event and the hourly rates will be established by the Department of Public Safety. The cost of the security will be the responsibility of the sponsoring

organization. If the security requirements are not completed, the event will be cancelled.

### ***Fundraising***

Any student organization fundraiser that is intended to generate over \$1,500 solicitations, or any solicitation to alumni, trustees, businesses, foundations, or other organizations must be approved by the Office of Institutional Advancement. This process should be started as soon as possible after details are known, but no less than two weeks before the fundraising begins.

### ***Food Sale Policy***

Food sales for fundraising or other purposes are not permitted on campus.

### ***Eating Competitions***

Due to the health and safety concerns associated with eating contests (food or liquid), these types of competitions are not supported. This includes any contest or competition where speed or volume consumption of food/beverage is the objective.

### ***Off-Campus Co-Curricular Travel Policy***

It is Elmhurst University policy that domestic co-curricular off-campus travel by student groups be approved by the group's advisor and registered with the Office of Student Involvement and the Department of Public Safety on Bluejay Life. This request should list the complete dates and addresses of any location(s) in which the group will be attending an event or function or have overnight accommodations. By definition, domestic co-curricular off-campus travel includes any of the following:

- Student group that is using University money for domestic, co-curricular off-campus travel
- Student performing groups traveling for competitions
- Student groups traveling on any off-campus trips sponsored by a University organization or department, whether by privately-owned or University-owned vehicle
- Student group participation in a conference or retreat

Exemptions include, athletic contests, study away, clinicals, internships, and student teaching or observation. All domestic curricular off-campus travel is monitored through the Office of the Vice President for Academic Affairs and Dean of the Faculty. International travel and domestic academic programs are monitored through the Office of Global Engagement.

It is Elmhurst University policy that the student group advisor is responsible for determining whether staff presence is required on the trip. If a staff member does not accompany the group during travel, a responsible student participant accompanying the trip must be identified. The Office of Student Involvement must be notified of all plans for domestic co-curricular off campus travel at least two weeks prior to departure. Student Organizations participating in domestic co-curricular off-campus travel must submit the following to the Department of Public Safety: The Domestic Co-Curricular Trip Information and all necessary Student and Emergency Contact information. Faculty and staff should not use their own vehicles to transport students for domestic co-curricular off-campus travel. Those who do use their own vehicles assume all liability for themselves and their passengers. To operate University vehicles, the driver must be certified by Public Safety in advance of the proposed travel. A minimum of 2 weeks should be allowed to arrange certifications. Non-certified drivers will not be allowed to utilize any University-owned vehicles until the driver certification is complete. Students will follow the guidelines of campus



housing; all room assignments are made on a single gender basis unless mixed-gender assignments are discussed with an advisor or a staff member in the Office of Student Involvement in advance.

### ***Raffles***

Student groups may conduct raffles on campus but must obtain a raffle form from the City of Elmhurst and put their raffle request in writing and submit it to the Dean of Students/Director of the Frick Center at least three weeks prior to the event for approval. Following the raffle, student groups must report funds raised and raffle winners to the Dean of Students/Director of the Frick Center.

### ***Social Event Policy***

Alcohol is not permitted at on-campus events sponsored by student groups. Prior to hosting an off-campus event, a recognized student organization must register their event on *Bluejay Life* at least two weeks in advance. If the off-campus event contains alcohol, it is required that the student group meets with the Assistant Dean of Students and/or their designee to secure consent.

- Submitting an event form does not imply or indicate that the University is endorsing the event; instead, the Office of Student Involvement uses this form to encourage diligent and effective risk management practices and review for approval.
- All themes, events, favors, etc. should be consistent with the organization's values and sensitive to, and must not discriminate or disparage based on gender identity, ethnicity, race, sexual orientation, or other characteristics protected by the University's Non-Discrimination and Non-Harassment Policy.

### ***Tailgating***

Elmhurst University welcomes students, families, and alumni to campus to attend athletic events and support athletic teams. Tailgating on campus property is subject to restrictions on location and allowable time periods. Recognizing that sporting events are open to guests of all ages, all participants are expected to conduct themselves in a manner that is respectful of others. At no time will public intoxication, vulgar language, or disorderly conduct be tolerated. The following guidelines are subject to being revised or changed at any time by the University. For the most up to date guidelines visit [elmhurst.edu/Tailgating](http://elmhurst.edu/Tailgating).

1. Tailgating is permitted from 2 hours before the game and must end no later than the scheduled kickoff.
2. Vehicles may not block traffic lanes or driveways. Campers and trailers must have prior approval from Public Safety to be on campus. No overnight parking is permitted.
3. Space is available on a first-come, first-served basis. Reserving spaces is not permitted.
4. Alcohol possession and consumption are permitted within the designated tailgate areas for guests who are 21 years of age and older. Kegs, glass bottles, glass containers and drinking games are prohibited.
5. The City of Elmhurst prohibits open alcohol in public areas, which includes sidewalks and streets around the parking lots.
6. Outside food or drinks are not permitted at Langhorst Field.
7. Signage or tents with advertisements or commercial names are prohibited.
8. Open flame fires, including fire pits are prohibited. Propane and charcoal grills are permitted for food preparation.
9. Used charcoal must be dumped in designated charcoal disposal containers.
10. Tailgaters must clean up their area and remove any debris or trash before leaving the lot / area.
11. Pets are not permitted in the tailgate area or at Langhorst Field.

Elmhurst University reserves the right and authorizes the Department of Public Safety to monitor activities, ensure policy compliance and address any violations of University policy, including underage alcohol consumption. Noncompliance to tailgating rules may result in immediate removal from campus and other conduct / legal sanctions.

## **STUDENT WELLBEING**

### **ANIMALS**

Elmhurst University is committed to supporting the needs of individuals with disabilities who may require a Service Animal or Assistance Animal for daily living. In general, service animals are allowed in all areas of the University that are open to students and members of the public but can be excluded from areas that may pose a danger. Emotional Support Animals are only allowed in campus housing.

Students seeking to have Service Animals or Emotional Support Animals in campus housing must make a request through Student Accessibility Services (SAS) by contacting them at [accessibility.services@elmhurst.edu](mailto:accessibility.services@elmhurst.edu) and submit documentation in support of the request. Once information is received and as part of the interactive process, the SAS Director (or designee) will meet with the student to discuss their particular needs. The SAS Staff will consult with other campus departments as necessary in determining whether the student request should be approved.

If the request is approved, the student will be required to sign a Service Animal or Emotional Support Animal in Campus Housing Agreement. In addition to the agreement, the student will have to provide copies of up-to-date immunization records, and if applicable, proof of registration of the animal with the City of Elmhurst. No animals will be allowed in campus housing until the agreement, immunization records and proof of registration are submitted to the SAS Office.

If the request is not approved, the SAS Office will provide the student with a written explanation of the denial.

### **CARE TEAM**

The Care Team serves as the centralized coordinated body for discussion and action regarding students exhibiting behaviors that indicate distress, cause a disturbance in the community, and/or present a danger to oneself or others. Committed to proactive, early intervention, the Care Team supports students directly and through consultation with campus partners. When necessary, the Care Team also assesses risk of harm to the University community and coordinates appropriate action to ensure the safety of individual students and the University.

Students who are contacted under the purview of the Care Team and/or the Director of Student Support Services and Intervention are expected to comply with the requests of staff as needed to ensure the safety of the student and the rest of the University community.

### **POST HOSPITALIZATION CARE MEETING**

Elmhurst University places high importance on the well-being of its students. When the University becomes aware of a student's hospitalization, students are encouraged to engage the Office of Student Support Services and Intervention (SSSI) to learn about available resources, and if desired, develop a plan for their care while on campus. This meeting is a private meeting with a member of the SSSI Team and may include other University personnel who can assist in

providing support and resources for students. Students are welcome to bring a support person to the meeting. The primary goal of a care meeting is to assist with reintegrating the student into University life, establish a plan tailored to their needs, and connect them with appropriate support services.

### **DISRUPTIVE STUDENTS**

If in the judgment of the Vice President for Student Affairs or their designee, in consultation with other University officials, it is determined that a student's behavior is disruptive to University functions and/or presents a threat of harm or bodily injury to said student or members of the University community, the student may be interim suspended from the University pending certification of professional assessment/counseling.

### **INVOLUNTARY LEAVE AND WITHDRAWAL POLICY**

Elmhurst University's primary concern is for the health and welfare of all members of the University community. To help students participate fully as members of the University community, the University provides a range of services, including Student Health Services, Counseling Services, and Access and Disability Services. Student Health Services and Counseling Services provide a wide range of care to Elmhurst University students including general medical care, confidential counseling, mental health care, medication management, and group therapy. Access and Disability Services provides accessible programs and reasonable accommodations for students with a range of disabilities. These services also provide consultation to University officials who have concerns about a student's wellbeing.

In extraordinary circumstances, a student's behavior may raise health and safety concerns for themselves or members of the University community or cause a significant disruption to the functioning of the University. If the behavior cannot be managed adequately, the Office of Student Affairs will make the determination to withdraw the student or require the student to take a leave of absence. Often, the student is in a better position to utilize support and return to stable, good health at home or in a less stressful environment. Under these circumstances, students will first be given the opportunity to take a voluntary leave of absence or withdrawal, thereby eliminating the need to complete the involuntary leave process. If a student declines to take a voluntary leave or withdrawal, the Vice President for Student Affairs or their designee has the authority to place the student on an involuntary leave or withdrawal.

The Vice President for Student Affairs or their designee may require an involuntary withdrawal or leave of absence when they determine that there is a significant risk of substantial harm to the health or safety of the student or other individuals and will consider the following factors:

- a. The nature, duration, and severity of the risk and/or harm
- b. The likelihood that the potential harm will occur or exacerbate
- c. Whether University policies, practices, procedures and services will sufficiently mitigate the risk and/or harm

### ***Procedure***

When made aware of the situation that could warrant an involuntary leave or withdrawal, the Vice President for Student Affairs or their designee will work with the Counseling Center, Housing and Residence Life and/or other appropriate persons knowledgeable about the student's situation (e.g. guardians, healthcare providers). In making an informed decision, the Vice President for Student Affairs or their designee will review the incident(s) and any relevant documents, have an interactive discussion with the student if

possible, and consider any relevant documentation provided by the student.

Notification of a meeting with Vice President for Student Affairs or their designee will be communicated to the student in writing via their Elmhurst University email address. The notification will include a statement of the reasons for the University's concern. Appropriate University personnel may be present and/or consulted at this meeting. At this meeting, the reasons for the University's concern will be stated and the student will be given an opportunity to respond to the concerns and present information on their behalf.

The student will be informed in writing by the Vice President of Student Affairs or their designee of the decision. In certain situations, the University may determine that a student's ability to continue as a student is subject to one or more conditions designed to mitigate the concerning behavior. If, after the meeting, the Vice President for Student Affairs, in consultation with appropriate personnel, decides that the student must withdraw or take a leave from the University, the student will be informed in writing of the decision and the basis for the decision within five (5) business days of the meeting with the Vice President or their designee.

If taking an involuntary leave or re-enrolling, the student may be required by the University to provide documentation to the Office of Student Affairs indicating the student's ability to return to the University or meet other appropriate conditions prior to being permitted to return.

#### ***Interim Leave or Withdrawal***

In exceptional circumstances, if the University determines that safety is of immediate concern, the Vice President for Student Affairs or their designee may withdraw the student or restrict the student's access to campus for an interim period before a final determination is made. In such cases, every attempt will be made to meet with the student before deciding on an interim withdrawal or leave.

#### ***Appeal***

If a student wishes to appeal a decision of the Vice President for Student Affairs made under this policy, the appeal must be made in writing to the President within five (5) business days of the student's receipt of the Vice President's decision. The decision of the President is final.



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