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*Student Code of Conduct 2015-2016*
I. Code of Conduct

Introduction
As a private educational institution affiliated with the United Methodist Church, Reinhardt University is interested in and concerned with the total development of the individual, including the development of social responsibility and good citizenship.

Reinhardt University established standards of conduct for students to ensure the safety of the campus community and to facilitate the pursuit of the institution’s educational mission. Therefore, the disciplinary function of the University is an integral part of the educational mission of Reinhardt.

The Code of Conduct delineates behavioral expectations and the means for holding students accountable when allegations of misconduct arise. The Code of Conduct also affords students certain rights designed to ensure due process and the basic rights granted through contractual obligations.

The Code of Conduct and disciplinary process emphasize the development of the individual's acceptance of his or her personal and social responsibilities and the protection of the campus community. The discipline system allows students to demonstrate their capacity for accountability, responsibility, and respect for others.

Reasonable efforts are made to foster the personal and social development of those students who are held accountable for violations of the Code of Conduct. In each student case, responsibility lies with the student for actions contrary to the Code of Conduct and subsequently the University mission.

There are alternative disciplinary processes that will be applied according to the circumstances, and more particularly, according to the severity of the violation or sanction being imposed. Through appropriate procedures, institutional disciplinary measures shall be imposed for conduct:

- That adversely affects the institution's pursuit of its educational objectives,
- that violates or shows a disregard for the rights of other members of the academic community; or,
- that endangers persons or property at a University-sanctioned event on or off institutionally controlled property.

The University reserves the right to require students to withdraw for medical, personal, physical, financial or any reasons otherwise determined by the Vice President for Student Affairs and Dean of Students and/or designee.

The University reserves the right to take action in such instances when the misconduct constitutes a violation of the Code of Conduct or is of such a serious nature that it suggests danger to any member of the University community (See Interim Suspension). In such cases, the University may initiate action whether or not legal action has been taken.
The University considers the Residence Halls and all campus property to be institutional property and directly under the jurisdiction of this Code of Conduct.

Not all violations of the Code of Conduct are of equal seriousness. In the following classification, the violations are divided into four levels according to severity. Charges and sanctions for offenses can be cumulative.

Student organizations are subject to the Code of Conduct as well.

Associated Policies

Rights and Responsibilities of the Victim
Students who are victimized by violations of the University’s Code of Conduct where the sanction of suspension or exclusion is sought against an alleged offender(s) shall be provided with certain rights. Although the actions shall be addressed during the disciplinary process, the right and responsibility for disposition of any individual complaint is reserved for the University. If a victim withdraws his or her complaint or refuses to cooperate during the course of the disciplinary procedures, the University reserves the right to proceed using other evidence that may be available. The rights provided to a victim are as follows:

1. The victim shall be advised, in writing, of the time and place of the hearing at least five (5) working days prior to the hearing;
2. The victim shall be given the opportunity to meet with the Vice President for Student Affairs and Dean of Students, or designee, to discuss the disciplinary process;
3. The victim shall be given the opportunity to submit a written account of the alleged incident;
4. The victim shall have the right to be accompanied by an advisor (faculty, student or staff member) for all stages of the process. The advisor participation shall be limited to advising the student. The student may not be accompanied by legal counsel unless legal charges apply;
5. The victim shall be afforded an opportunity to testify during the disciplinary hearing. During this testimony the student should expect cross-examination;
6. The victim has the right to decline to testify during a disciplinary hearing, with the knowledge that such action could result in the dismissal of the allegations for lack of evidence;
7. The victim shall be allowed to submit a written impact statement to the hearing body; and,
8. The victim shall be notified, in writing, of the hearing body’s decision within 5 working days from the decision.

Rights and Responsibilities of the Accused
Every student at Reinhardt University is expected to conduct him or herself in a manner keeping with the University’s Statement of Purpose, the Reinhardt University Code of Honor, and Code of Conduct. Every student will be given a fair hearing, and each case brought before the designated hearing officer and the Judicial Council will be treated individually. Accused students may have an advisor present at their hearings. Students may choose to settle judicial cases with the hearing officer.
Specific Rights of the Accused:

A. The right to receive written notice of charges within 24 hours if possible;
B. The right to discuss the alleged violations with the hearing officer or designee;
C. The right to receive a copy of the charges being brought against the student;
D. The right to a fair, impartial hearing that is kept closed and confidential unless with federal law, information is required to be released according to federal guidelines or a need to know basis;
E. The right to question witnesses;
F. The right to present evidence;
G. The right to know the outcome of the hearing as soon as possible;
H. The right to appeal.

Unbiased Adjudicator
Hearing officers shall remove themselves from hearing a case if they believe that they cannot be unbiased. The accused will be given the opportunity to object to a particular Council member if he or she believes the Council member cannot be unbiased. The Judicial Council in conjunction with the Vice President for Student Affairs and Dean of Students shall determine whether the Council member will continue to serve.

Closed Hearings
All proceedings of any hearings are closed, except for individuals as outlined in this process.

Hearing Record
Hearings are not recorded, as the decision letter serves as documentation of the evidence presented and decision reached.

Jurisdiction
Reinhardt University reserves the right to determine the jurisdiction (either disciplinary or academic) of an alleged violation based upon the facts and evidence related to the incident. Reinhardt University reserves the right to adjudicate violations of the Code of Conduct wherever they may occur.

Witnesses/Witness List
Witnesses may participate in hearings. A witness is a person who has personal knowledge of the incident at issue. A person who serves as a witness may not serve in any other capacity during the hearing. The accused must submit a list of witnesses to the hearing officer respectively no later than twenty-four hours before the hearing. The list should include each witness's name and a summary of the witness's expected testimony. It is the responsibility of the accused to bring his/her witnesses to the hearing at the scheduled date and time.

Presenting Evidence and Questioning Witnesses
The hearing officer will present the case material. The complainant may be present to represent any additional information he or she has regarding the alleged violation and present witnesses. The accused will have an opportunity to present relevant information and witnesses in response to the charge. The accused will have the opportunity to examine all information leading to the charge and to respond to all witness testimony. The hearing body may question witnesses. The
accused and complainant may question witnesses directly.

**Anonymous Evidence and Evidence Received Outside the Hearing**
The hearing officer and/or Judicial Council may refuse to accept or hear any evidence coming from an anonymous source or evidence that is presented outside of the hearing.

**Relevant Evidence**
Formal rules of evidence shall not be applicable. The hearing body will decide whether to admit evidence. The rules of evidence used in courts of law are not followed in this process. Generally, the hearing body will agree to hear evidence that is relevant to the subject matter of the hearing and is fair and reliable under the circumstances of the case. Unduly repetitious or irrelevant evidence may be excluded.

**Standard of Proof**
The hearing process operates on a “Preponderance of Evidence” standard. A “Preponderance of Evidence” standard is a conclusion reached from an investigation that is based on convincing evidence and its probable truth or accuracy. A determination in this standard is reached when it is more likely than not that the alleged incident occurred.

In cases that involve allegations of discrimination and sexual violence a “Preponderance of Evidence” Standard in order for the school to be consistent with Title IX standards. (i.e., it is more likely than not that sexual harassment or violence occurred).

**Prior Disciplinary Records**
If a student has a prior disciplinary record, that information is not available to the hearing body unless the accused is found in violation of a charge. Once determined to be in violation, the prior record may be considered in determining appropriate sanctions.

**Failure to Participate in the Adjudication Process**
During any stage of the adjudication process, should the accused fail to cooperate, ignore or otherwise does not participate in the adjudication process, the accused shall be subject to the decisions, recommendations and/or sanctions of the adjudicating body, even in his/her absence. If the accused fails to attend the Preliminary Review, Disciplinary Hearing and/or an Appeals Hearing, the hearing will proceed and a finding will be reached based upon available evidence. If the accused withdraws from the University prior to adjudication of the case, the case will still be resolved through the process outlined in this policy.

**Disregard of Sanction**
In order to promote a positive living/learning environment, it is essential for the members of the campus community to exercise good judgment and demonstrate respect for the Code of Conduct. The Code of Conduct is a standard set by the University and all sanction are expected to be completed in a timely manner and are to be taken seriously. Students who fail to complete all mandated sanctions could be charged with additional violations, prohibited from registering for classes, receiving grades, transcripts, diplomas or any other official documentation from the University.
**Student Disciplinary Records**
Disciplinary records, other than suspension or expulsion, are retained for seven (7) years after graduation. Records of suspensions and expulsions are maintained indefinitely. A sanction may specify that records should be retained for a longer period. No reference to the suspension or expulsion will be made on the student's transcript unless the sanction so specifies. All disciplinary records are kept confidential. Other Reinhardt University officials are notified, however, when appropriate under the Federal Educational Rights and Privacy Act (FERPA) guidelines. Disciplinary records may be released to other institutions or should "right to know" standards apply as required by law.

**Probation (i.e. Probated Suspension/Probated Expulsion)**
Probation (i.e. Probated Suspension/Probated Expulsion) involves a definite or indefinite period of time in which a student is permitted to remain enrolled at the University on a probationary status and allowed to continue on a restricted basis with his/her academic studies and co-curricular and extracurricular activities, and is required to show a positive change in behavior.

During the period of the probation, the student may be required to satisfy specified stated conditions or requirements such as exclusion from University housing, exclusion from participation in University athletics or other student extracurricular or social activity, and that the student may not be a candidate for or hold elective or appointive office in any University organization.

Probation constitutes a warning that if a student is found responsible for any additional violations of the Code of Conduct during the period of probation, at the discretion of the hearing officer, the student will face severe disciplinary sanctions, and will most likely result in the student’s immediate separation from the University (suspension or expulsion).

For students on disciplinary probation for a semester-specific amount of time, the probation remains in effect until the beginning of the first semester subsequent to the probation semester(s).

**Letter of Warning**
A letter of warning to a student indicates that his or her conduct is in violation of the Code of Conduct but is not sufficiently serious to warrant further disciplinary sanctions and that no sanctions will be applied for this specific issue. The Letter of Warning serves as an admonition to the student as well as summarizing the violation and corrective measure and advises the student about possible future consequences should that behavior continue. The Letter of Warning is placed in the student’s Judicial File and will be made available to any hearing body or officer should further violations of the Code of Conduct occur.

**Interim Suspension**
The Vice President for Student Affairs and Dean of Students or a designee may suspend a student for an interim period pending appropriate proceedings. An interim suspension is to become effective immediately, without prior notice, upon a finding by the Vice President for Student Affairs and Dean of Students or a designee that the continued presence of the accused
A student on the University campus poses an immediate or substantial threat to the well-being of the accused or any other member of the University community. This threat may be to the integrity of institutional property or the personal property of members of the University community, or when the accused student might pose a substantial disruption to the continuance of normal University functions.

During an interim suspension, the student shall be denied access to the residence halls and/or campus (including classes), and/or all other University activities or privileges for which the student might otherwise be eligible based on what the Vice President for Student Affairs and Dean of Students or a designee may determine to be appropriate.

A preliminary hearing will be held by the Vice President for Student Affairs and Dean of Students or designee within five (5) business days of the interim suspension to determine if the suspension should continue. A formal hearing concerning suspension or exclusion shall be held no later than five (5) business days, when possible, after the preliminary hearing of the interim suspension.

**No Contact Directive**
When a No Contact Directive has been put in place, the student is to have no contact with, nor be in the presence of, the other involved party. This includes all forms and means of contact or communication, either by yourself or through others, including personal contact or communications by phone, e-mail, text, social media, or through friends or others acting on your behalf. This also includes making electronic outreaches to or statements about them through blogs or other social media, 'tagging' them in comments, or otherwise through online message boards or internet sites. Furthermore, if the student find himself/herself in the same location as this individual, he/she is required to immediately remove yourself from that location; and he/she is also reminded that University policy prohibits taking any retaliatory action for reporting or inquiring about alleged improper or wrongful activity, assisting another in making a report, or participating in an investigation into such matters. Thus, he/she is instructed to refrain from engaging in any actions or attempts to harass, intimidate, retaliate against, or improperly influence any individual associated with this matter, including those who may have reported any incident or may participate in any investigation, hearing or resolution. This includes both direct and indirect actions taken by the student themselves or by any person acting on their behalf. This No Contact Directive applies both on and off campus. Any infraction of this restriction may result in disciplinary action.

**Anti-Retaliation**
Retaliating directly or indirectly against a person who has in good faith made a report under the policies of Reinhardt University or participated in an investigation of a complaint of any act as defined in the student handbook is prohibited. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint or to provide false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment, threatening, intimidating, or coercing the person, or otherwise discriminating against any person for exercising their rights or responsibilities under this policy. Depending on the circumstances, retaliation may also be unlawful. Retaliation under this policy may be found whether or not the complaint is ultimately
found to have merit. Complaints of retaliation should be reported to the Vice President for Student Affairs and Dean of Students.

**Associated Individuals and Groups**

**The Accused**
"Accused" refers to the student that is being charged with an alleged violation of the Code of Conduct.

**The Complainant**
"Complainant and/or Victim" refers to the person that is reporting the alleged violation.

**Hearing Officer (Administrative Hearing Officer)**

The Vice President for Student Affairs and Dean of Students will appoint a member of the student affairs staff to serve as the hearing officer responsible for adjudicating disciplinary cases. The role and responsibility of the hearing officer is to serve as an initial investigator and hearing officer for student disciplinary violations as well as a co-advisor to the Judicial Council.

*Please note:* The Vice President for Student Affairs and Dean of Students reserves the right to serve as the administrative hearing officer when, in his/her judgment, a violation of the Code of Conduct has occurred, and the health and welfare of an individual student or members of the community is best served by doing so. Appeals of any action resulting from such procedures may be presented to the Judicial Council.

**Judicial Council**

The Judicial Council, composed of students, faculty and staff may serve as the initial hearing body as well. The Judicial Council will also serve as the first level of appeals regarding disciplinary findings and sanctions from the administrative hearing officer. The composition of the Judicial Council is established in the Constitution of the Student Government Association.

**Chairperson of Judicial Council**

During a formal hearing of the Judicial Council, the senior faculty member present shall serve as the chairperson of the Judicial Council during hearings and deliberations. The Judicial Council chair is responsible for maintaining order during the hearing and may take all steps reasonably necessary to ensure an orderly hearing. The chairperson of the Judicial Council during hearings and deliberations may only vote in the case of a tied vote. The Chairperson writes the hearing decision on behalf of the Council at the conclusion of the hearing.

**Witnesses**

A witness is a person who has personal knowledge of the incident at issue. A person who serves as a witness may not serve in any other capacity during the hearing.

**Multiple Parties**

If one incident results in more than one student being charged with violating the University's Disciplinary Code of Conduct, the hearing officer or the Judicial Council may request that the hearings be combined. A student may request a separate hearing, which will be granted for good
cause shown. In case of dispute, the hearing officer or Judicial Council's decision is final.

Advisor of Choice
The accused may bring an advisor to the hearing for personal support. The accused must notify the University's designated hearing officer or the Judicial Council respectively at least twenty-four hours in advance of the hearing of his/her intent to have an advisor and the advisor's name. All advisors must be members of the University community (faculty, student or staff member) must have no other role in the hearing, and may not address the Judicial Council on behalf of the advisee or otherwise represent their advisees. The accused may be represented or accompanied by legal counsel only if criminal or civil charges apply.

Advisor of Choice for Accuser/Accused of Sexual Assault and Sexual Violence
Reinhardt University grants the accuser and the accused be entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The term “advisor” means an individual who provides the accused or accuser support, guidance, or advice. Reinhardt University may limit the extent to which an advisor may participate in the proceedings, such as restricting cross-examination of witnesses or prohibiting advisors from addressing the decision-maker, as long as these limits apply equally to both parties.

The Adjudication Process
The following protocols and procedures shall be observed:

- The accused shall be advised, in writing, of the time and place of the hearing at least five (5) working days prior to the hearing, when possible.
- The accused shall be afforded reasonable access to incident reports or other pertinent documents (as determined by the Vice President for Student Affairs and Dean of Students) prior to and during the hearing.
- The accused is responsible for presenting his or her own case, and the accused has the privilege of presenting pertinent documents, written information, or witnesses subject to the right of cross examination by the hearing officer and/or the Judicial Council.
- The accused has the right to a fair, impartial hearing that is kept closed and confidential unless, in accordance with federal law, information is required to be released by a valid court order.

Step 1 - Reporting of Disciplinary Violations
Student disciplinary complaints may come from a variety of sources including public safety incident reports, residence life reports, other students, faculty, staff, and off campus individuals. All alleged disciplinary violations received will be reviewed by the hearing officer to determine validity and be referred for further investigation and possibly disciplinary action.

Step 2 - Preliminary Review
Upon receipt of a report of an alleged violation from any source, the designated hearing officer has the duty to investigate, and consult with relevant parties regarding the incident in question. The hearing officer will first review the report and relevant evidence. Following the initial review of the report/evidence and meeting with the involved parties, the hearing officer will then determine if the report would constitute a violation of the Disciplinary Code of Conduct. A
determination will be made and the accused will be advised as to whether or not subsequent disciplinary proceedings are necessary. If the hearing officer determines that proceedings are necessary, the accused will be afforded a hearing with the appropriate adjudicating body.

The accused that has been alleged to have violated the Code of Conduct will receive written notice detailing the incident and of charge of alleged disciplinary violation(s) within five (5) working days, when possible of the charges against him or her and the privilege of speaking in his or her own behalf. During the course of a Preliminary Review, the hearing officer will meet with the accused that has allegedly violated the Disciplinary Code of Conduct. At that time the accused will be given the opportunity to explain his or her version of the incident and present evidence in his or her behalf. A Preliminary Review may be converted into a Disciplinary Hearing if the student elects to do so. In the case where an accused accepts responsibility, the hearing officer will adjudicate the case and describe the terms of sanctions.

When a violation has occurred in the judgment of the hearing officer, but the accused claims innocence, a hearing is required. The accused may choose one of the following avenues to have their case adjudicated:

- **Admit to the alleged violation(s) and request that the matter be resolved through the Administrative Hearing option.** By choosing this option, you understand that you are admitting to being responsible as charged and wish to have your hearing adjudicated by a campus hearing officer.
- **Deny the alleged violation(s) and request that the matter be resolved through the Administrative Hearing Option.** By choosing this option, you understand that you are not admitting responsibility for the infraction and wish to have your hearing adjudicated by a campus hearing officer.
- **Admit the alleged violation(s) and request that the matter be resolved through the Judicial Council option.**
- **Deny the alleged violation(s) and request that the matter be resolved through the Judicial Council option.**

Please note: The hearing officer may refer to the Judicial Council any case which is unduly complex or which contains a genuinely disputed issue of the facts(s).

**Step 3 - Disciplinary Hearing**

Upon completion of a Preliminary Review a Disciplinary Hearing will be scheduled within five (5) working days, when possible, unless the student waives his right to a hearing. If the accused fails to appear for a disciplinary hearing their case will be heard even in their absence.

The decision of the judicial body will be based on the facts and testimony presented at the hearing. If the accused chooses to accept the decision offered by the hearing body, the decision and assignment of sanctions is final. Following the Disciplinary Hearing, the accused will be informed in writing of the decision by the hearing body. Cases that involve the recommendation of suspension or expulsion will be reviewed by the Vice President for Student Affairs and Dean of Students or designee.
The hearing body will determine whether the accused is "responsible" or "not responsible" for the alleged violation. In regards to the cases heard by the Judicial Council, a majority vote is needed to determine responsibility.

The accused will be presumed "not responsible" until proven otherwise by the Preponderance of Evidence standard. This standard is reached when the hearing body concludes that it is more likely than not that the accused violated the Code as alleged in the charge.

The hearing body will provide a written decision stating the rational as to how the decision was reached. If the accused is found responsible, the hearing body will recommend sanctions to be imposed. When doing so, mitigating and aggravating circumstances may be considered. Factors that may be considered include the following:

1. Past disciplinary history of the accused;
2. Nature of the offense;
3. Whether the accused promptly took responsibility for his or her actions;
4. Any lack of honesty or cooperation by the accused during any investigation or judicial proceeding.

All decisions involving suspension or expulsion take the form of recommendations to the Vice President for Student Affairs and Dean of Students.

The accused will be advised, in writing, of the hearing body's decision within five (5) working days of the decision. A hearing body may deliver the decision in person or via U.S. mail or e-mail, as well as the method of appeal.

Upon receiving the decision of the hearing body, the accused has a right to appeal the decision as described below.

Notification of Disciplinary Proceeding Results of Sexual Assault and Sexual Violence
Reinhardt University will notify both the alleged accuser and the accused be simultaneously informed, in writing, of the outcome of any disciplinary proceeding; the institution’s procedures for both parties to appeal the results of the proceeding; of any change to the results that occurs prior to the results becoming final, and when such results become final.

Step 4 - Appeals
If the accused chooses to appeal the decision of the original hearing body, the matter will proceed to the appropriate appellate body. Should the accused choose the Judicial Council as the initial hearing body, the appointed administrative hearing officers shall serve as the appeals body. In cases of sexual assault and sexual violence both the alleged accuser and the accused have the right to appeal.

Should the accused choose the administrative hearing option as the initial hearing body, the Judicial Council shall serve as the appeals body. In cases where the Vice President for Student Affairs and Dean of Students adjudicates cases, the Judicial Council will serve as the appellate body. As stated earlier, all cases involving suspensions and expulsion will be reviewed by the Vice President for Student Affairs and Dean of Students.
A general dissatisfaction with a disciplinary decision is not grounds for an appeal. Grounds for appeal may be based on one or more of the following:

- An error in disciplinary procedure by the body of the original jurisdiction that prejudiced the accused to the extent that he or she was denied a fundamentally fair hearing as a result of the error;
- The emergence of new evidence that could not have been previously discovered by the exercise of due diligence and/or was not reasonably available at the time of the hearing and which, had it been presented at the disciplinary hearing, would have substantially affected the decision of the adjudicating body; or,
- There was a clear abuse of discretion on the part of the hearing body.

If the accused chooses to appeal the finding or sanctions of the original hearing body, a written appeal must be submitted within (5) five working days of receiving the decision stating the appropriate ground for appeal and any viable solutions. The appeal should be submitted to the hearing officer. During the time the decision is under appeal, findings and sanctions are placed on hold until a final decision can be made. Under rare circumstances, the University reserves the right to invoke or remove certain privileges and require the appeal be made from off campus. Interim suspensions as described in this process may apply as well. Action available to the appellate body is as follows:

- Affirm the finding and sanctions imposed by the original adjudicating Judicial Officer and/or the Judicial Council;
- Affirm the finding/decision and reduce, but not eliminate, the sanction;
- Remand the case to the original adjudicating body if specified procedural errors were so substantial as to effectively deny the accused of a fair hearing; or if new and significant evidence becomes available that could not have been discovered by a properly diligent investigation before or during the original hearing, the decision of the lower board on remand shall be final and conclusive, or
- Uphold the appeal and set aside the original finding if it is held to be arbitrary and capricious or if new evidence provides sufficient proof of innocence.

The appellate body will render a written decision regarding the appeal within five (5) working days of the appeal meeting. The appeal decision may modify the hearing officer and/or Judicial Council decision, including sanctions, as warranted. The appeal decision is final.

**Step 5 – Post Adjudication Process**

If the accused fails to comply with the sanctions finally imposed upon him/her within a specified time period, the hearing officer and/or Judicial Council and/or Vice President for Student Affairs and Dean of Students may impose additional charges on the Party. In addition to the sanctions, the University may restrict the student’s future registration privileges with the University. Such a restriction may result in the cancellation of all pre-registered courses. The restriction remains in effect until the outstanding matter and sanctions have been resolved.
Disciplinary Offenses
Not all violations of the Code of Conduct are of equal seriousness. In the following classification, the violations are divided into four levels according to severity and sanctions, and each offense is cumulative. Cumulative means that a second offense in any of the four levels may result in the second offense moving the charge to the next level. The hearing body reserves the right to increase the violation-level based on the severity of the offense. Individual or organizational misconduct that is subject to disciplinary sanction shall include but not be limited to the following penalties:

**LEVEL I: Reprimands, fines up to $50 and/or 0-20 Hours of Community Service**
Reprimands generally provide a stated period of time during which the accused is on notice that any further violations of the Code of Conduct will result in a more severe sanction. Reprimands are the usual action taken for Level I violations although other actions, such as fines or restrictions, may be added with whatever content the Vice President for Student Affairs and Dean of Students deems appropriate.

Level I Violations include but are not limited to:
- A. Disorderly conduct, excessive noise, irrational or disruptive behavior, indecent or obscene conduct or language on University property or at a University-sponsored and supervised event, disrespect of any University community member or guest;
- B. Continued violation of courtesy or quiet hours in the residence halls;
- C. Improper use of fire (including the burning of candles, incense, etc.);
- D. First offense possession of a pet other than a fish. *Note: Tank size should be no larger than 1 gallon;
- E. Unauthorized visitation in residence halls, which includes unauthorized overnight guests or unescorted guests;
- F. The display of signs, clocks, stickers, posters, or other objects relating to alcoholic beverages, drugs, drug paraphernalia, or obscene materials; nude, partially nude, sexually provocative pictures or other objects;
- G. Wearing of apparel or buttons that display or primarily promote alcoholic beverages or drugs or that are obscene in nature;
- H. Gambling on campus;
- I. First offense possession or use of alcohol
- J. First offense of smoking/tobacco use in non-designated areas;
- K. Aiding and/or abetting in the violation of any of the provisions of this Code of Conduct.

**LEVEL II: Restrictions, fines up to $75 and/or 20-30 Hours of Community Service**
The term restrictions shall be defined at the discretion of the Vice President for Student Affairs and Dean of Students or designee. The hearing body may designate a period of time when certain privileges are denied (i.e. residence visitation, right to hold an office in a campus organization, participation in intramural or intercollegiate athletic sports, participation in campus activities, etc). Restrictions may also designate a period of time when certain requirements are placed upon the one being disciplined (attending counseling sessions, volunteer work for community agencies, campus clean-up, etc.). Failure to comply with conditions of campus restrictions may result in suspension from school.
Level II Violations include but are not limited to:
A. Property damage or theft less than $500.00 (reimbursement for damages will always be required in addition to the stated fine and/or sanction);
B. Refusal or failure to respond to a request to report to or cooperate with a University official (including Public Safety Officers, Residence Life Coordinators, and Resident Assistants), deceiving a University official; or failure to comply with previously assigned sanctions.
C. Second offense - visitation violation;
D. Storing, possessing, or use of firecrackers, fireworks, or weapon-like object(s);
E. Invasion of privacy by trespassing or being present in another person's office, residence halls, or area without authorization, unauthorized use of or entry into a University facility; Violations of University key and/or access control systems by physical and/or digital manipulation;
F. Tampering with a witness before or intimidating a witness after a judicial hearing, failure to cooperate with the hearing officer or Judicial Council;
G. Misuse of University electronic and computer resources including improper internet usage (minor infraction);
H. Pranks of any form;
I. Second offense of alcohol possession or use.
J. Second offense of smoking/tobacco use in non-designated areas;

LEVEL III: Probated Suspension/Suspension, fines up to $100 and/or 30-50 Hours of Community Service
Violations at Level III may result in probated suspension/suspension from the University, although other disciplinary actions, such as loss of residential living privileges, may be considered as well. Students can be dismissed from residential halls or restricted from visitation. Suspension is a separation from the University for a specified period of time. During a University suspension, a student is excluded from classes and all other University privileges or activities. Often the student is prohibited from the campus as well.

Level III Violations include but are not limited to:
A. Property damages or theft of more than $500.00 (reimbursement for damages will always be required in addition to the stated fine);
B. Tampering with fire equipment, setting off a false fire alarm;
C. Third offense of alcohol possession or use;
D. Third offense of smoking/tobacco use in non-designated areas;
E. Arrests for violations of local, state, or federal laws.

LEVEL IV: Probated Expulsion/Expulsion
A level IV violation may result in expulsion from the University, which means permanent dismissal from the University. However, a Level IV violation may result in whatever sanction the Vice President for Student Affairs and Dean of Students and/or designee deems appropriate.

Level IV Violations include, but are not limited to, the following:
A. Vandalism in excess of $500.00 (reimbursement for damages will always be required in addition to the stated fine);
B. Reckless endangerment of life, including violent, abusive, disruptive, or destructive behavior;
C. Forgery, falsification, or other misuse of University documents, records, or identification cards;
D. Physical misconduct or mental abuse of any member or guest of the University community on institutional premises or at University-related activities;
E. Bullying, hazing, harassing, threatening or other conduct jeopardizing the health, safety, or civil rights of any member of the Reinhardt University community (includes sexual, mental, or physical harassment whether by an individual or group); generally, harassment on the basis of religion, disability, race, or gender including conduct that has the purpose, or has the reasonably foreseeable effect, of interfering with an individual's academic efforts, employment, or participation in institutionally sponsored activities, including any activity that creates an intimidating, hostile, or demeaning environment;
F. Sexual violence, sexual assault, rape, attempted sexual assault, or attempted rape;
G. Use, storing or possession of weapons or firearms of any kind (with or without permit) anywhere on campus, including residence hall or vehicle;
H. Use or possession of illegal drugs (violation of state or federal laws).

Other Guiding Policies

Residence Hall Guidelines
Cumulative violations of the Code of Conduct or proof of a Level III or Level IV offense may mean dismissal from the residence halls. The role of the Residence Life Coordinators and Resident Assistants is to help provide and ensure a safe and comfortable living and learning environment for resident students. However, when violations of the University Code of Conduct occur in the residence halls, the Residence Life Coordinators and the Resident Assistants have the authority to deal directly with some violations and to make recommendations to the Office of Student Affairs and Residence Life. It should also be noted that refusal or failure to respond to or cooperate with a Residence Life Coordinator or the Director of Residence Life is in itself a Level II violation. Guests of residents are expected to abide by all the residence hall regulations, and residents are responsible for their guests' behavior. When at all possible all Level I and Level II violations will be handled directly by the Director for Residence Life and/or designee. Please note: Residence Life personnel will assist residents when locked out of their room. The first two unlocks are free. Additional unlocks will be based on an incremental $5 fee (i.e., $5, $10, $15, etc).

Reinhardt University Police Academy Guidelines
The Reinhardt University Public Safety Institute is certified to conduct basic law enforcement training under the auspices of the Georgia Peace Officer Standards and Training Council (POST). In accordance with the POST Uniform Law Enforcement Academy Regulations, Reinhardt University has established certain objective rules of conduct, which are specific to Peace Officer Candidates enrolled in the Basic Law Enforcement Training Course (BLETC). The rules and regulations have been established to ensure the safety of all students and to preserve a proper learning environment for this unique pre-professional training program. Said rules and regulations are contained within the Police Academy Student Handbook.
Peace Officer Candidates may be dismissed from the Academy for any infraction. Candidates alleged to have violated Academy rules and/or regulations stipulated by the Georgia POST Council are subject to a separate and distinct Academy administered disciplinary process. Whenever a student is dismissed from the Basic Law Enforcement Training Course as a result of disciplinary action, the student is provided a hearing as dictated by the Uniform Law Enforcement Academy Regulations.

Students who are expelled or dismissed from the Basic Law Enforcement Training Course for disciplinary reasons are not entitled to a refund of any deposits, tuition or fees paid. The disciplinary action shall be reported to the Georgia POST Council and said student shall be withdrawn by the Vice President for Academic Affairs and/or designee for academic courses not completed.

**Alcohol and Other Drug Policies**

Reinhardt University promotes the education of the whole student. The University is concerned about ways in which alcohol and drug use and abuse may affect the primary academic mission of the institution, its overall atmosphere and the personal well-being of the University community. The University has the duty to exercise the degree of care that a reasonable person would ensure that private and public events are conducted in accordance with state law.

The primary objectives of Reinhardt University’s policies and procedures related to alcoholic and other drugs are: (a) to promote responsible behavior and attitudes among all members of the University community; (b) to educate the university community concerning the use and effects of alcoholic and other drugs in order to promote responsible decision-making; and (c) help individuals experiencing difficulties associated with the use of alcohol and other drugs.

**Effects of Alcohol and Other Drugs**

There are many well-documented risks and negative effects associated with the use of alcohol and other drugs, affecting not only the individual user, but also his or her family, friends and roommates. Alcohol and other drug abuse is frequently a factor in cases of incidents on campus. The misuse of alcohol and other drugs, including prescription drugs, inhibits educational development and results in decreased productivity, serious health problems, and a breakdown of family structure. Repeated use of alcohol and drugs can lead to dependence. The abuse of alcohol and other drugs affects all socioeconomic groups, age levels, and the unborn. Other problems associated with alcohol and other drug use/abuse include negative impacts on health, poor academic or job performance; relationship difficulties, including a tendency toward verbal and physical violence; financial stress; injuries or accidents; and violations of the law such as driving under the influence and willfully destroying property.

**Alcohol Policy**

Student and/or guest possession of alcohol is strictly prohibited on campus. Use, possession, sale, and/or acting under the influence of alcoholic beverages on campus may be determined by but is not limited to the following:

a) Physical evidence: any container of an alcoholic beverage whether empty, full, or partially full will constitute sufficient evidence to find a student (or students), in a room (or suite) or in an automobile, guilty of possession of alcoholic beverages on campus.
b) Physiological Evidence: any physiological indication of intoxication.
c) Knowingly in the presence of alcoholic beverages within residence halls and/or other University property and/or University approved activities.

At the discretion of the Vice President for Student Affairs and Dean of Students, or designee, the following disciplinary actions may be taken:

- Written warning on file in Vice President for Student Affairs and Dean of Students office, mandatory evaluation through the Reinhardt University Counseling Center,
- A letter may be sent to parents.
- Recommended counseling,
- Possible dismissal from residence hall or from University.

**Illegal Drug Policy**

Use, possession, sale, or being under the influence of illegal drugs, including but not limited to narcotics, hallucinogens, cocaine, amphetamines, or illegally used prescription drugs, or evidence of drug paraphernalia is strictly prohibited and may result in immediate dismissal from residence halls and/or from Reinhardt University.

General provisions regarding the possession and distribution of illegal drugs possession, sale, or use of narcotic, mind-altering, or other illicit drugs, except for one's own prescription by a licensed physician, is prohibited by the University, local ordinances, as well as state and federal laws. Possession or use of prescription drugs prescribed to another individual is prohibited by the University. The resale of one's own prescription is prohibited by the University.

Reinhardt University will cooperate with all law enforcement agencies in the enforcement of such laws, on campus and off, and will not protect a student from such enforcement. Anyone who violates the drug policy is subject to the University's sanctions and to criminal sanctions. Therefore, in addition to the University sanctions listed below, criminal penalties may be imposed upon a person convicted of an offense.

Reinhardt University will assist students who voluntarily submit themselves to University officials for counseling and help with the misuse of alcohol or drugs. Under no circumstances will Reinhardt permit students to sell or distribute drugs to others.

Persons convicted of drug possession under state or federal law may be ineligible for federal student grants and loans.

**Synthetic Marijuana Policy**

The possession, use, distribution, control of, and/or aroma of synthetic cannabinoids (otherwise known as synthetic marijuana) is also strictly prohibited and may result in immediate dismissal from residence halls and/or from Reinhardt University. Moreover, possession, control of, delivery of, distribution of, administration of, or use of synthetic marijuana is illegal in the United States and Georgia.
Individuals found responsible for manufacturing, possessing, importing/exporting or distributing these substances will face university, criminal and or civil sanctions. Reinhardt University students engaging in these activities will also be held responsible under the University’s drug policy.

Synthetic marijuana is a mixture of herbal and chemical ingredients that mimic the effects of tetrahydrocannabinol, or THC, the active ingredient in marijuana. Side effects of synthetic marijuana may include increased heart rate, paranoid behavior, agitation and irritability, nausea and vomiting, confusion, drowsiness, headaches, hypertension, electrolyte abnormalities, seizures, loss of consciousness and death.

**Athletics Drug Policy**
For those individuals who are members of NAIA sanctioned teams, positive results of drug testing will be referred to the Vice President for Student Affairs and Dean of Students or designee for processing to begin a formal hearing.

**Sanctions for Possession with Intent to Sell or Distribute**
Reinhardt University students found responsible for possession with intent to sell or distribute illegal drugs on campus and/or off campus may be expelled from Reinhardt University.

**Sanctions for the Possession of Drug Paraphernalia**
Students may not use or possess drug paraphernalia on campus. Possession of these devices may result in a charge of a violation against the drug policy and the Code of Conduct.

**Federal Regulations on a Drug-Free Workplace**
The Federal Drug Free Schools and Communities Act Amendments of 1989 require all public and private institutions of higher education to develop, distribute, and publicize a policy outlining the following:
1. Standards of conduct and sanctions;
2. Health risks;
3. Information on assistance and counseling;
4. Educational programs; and,
5. Legal sanctions regarding alcohol and drug use.

The intent of the legislation is to address the problem of underage and irresponsible drinking and/or use of illicit drugs on University campuses.

**Smoking/Tobacco Use Policy**
Reinhardt University has adopted a campus wide smoking and tobacco use policy to establish a clean and healthy environment for the entire community. Failure to use tobacco products in designated areas will result in a violation of the Code of Conduct. The first violation of this policy will result in a Level I violation and each continuous offense will move up to the next level. This policy includes use of tobacco within all university facilities.
Education and Counseling for all Students

*Education*
Reinhardt University is committed to education and the sound development of mind, body, and spirit. Therefore, a commitment to alcohol and drug education is a continuing priority at Reinhardt University. Educational programs are organized and conducted throughout the year to promote continued awareness and to encourage an attitude of concern and caring for others. Information on responsible use, effective social planning, indications of abuse or addiction, and resources for assistance are available through Reinhardt University Counseling Services. Examples of these programs include, but are not limited to:

a) Residence Life programming facilitated by the Residence Life Staff;
b) Alcohol Awareness and other focus weeks;
c) Community-wide educational programs;
d) Training opportunities and workshops for members of student organizations; and,
e) Substance-free social events in collaboration with Office of Student Activities and student organizations.

*Counseling*
Students are encouraged to look out not only for their own health and safety but also for that of their peers. When a student's health and/or safety is threatened or appears to be in jeopardy, immediate actions should be taken to prevent injury/illness/danger. The action might include calling a staff member in Health Services, Public Safety, Student Affairs, or the Residence Life offices to request assistance in handling the emergency. Whatever the particular need or problem, it is important to respond in a responsible and timely manner. While appropriate discipline is necessary, the University's first and foremost concern is the health and safety of its students, faculty, and staff.

Reinhardt is also committed to providing students with confidential referrals for professional assistance if it is needed. An awareness of the negative effects of alcohol consumption or drug use may assist a student in his or her efforts to make safe and responsible choices about alcohol and drugs. A student may make an appointment with a specialist for an assessment and/or counseling by contacting the Counseling Center. Counseling services are available to Reinhardt students on a time-limited basis. There is a network comprised of counselors in the local area who see Reinhardt students in their offices or on campus. Long-term counseling, specialized services, or outpatient/inpatient therapy are not covered by the tuition and fees.

*Counseling, Evaluation, and Treatment Programs*
In some cases of misconduct, such as those committed under the influence of alcohol or other drugs, participation in an evaluation and/or treatment program by the University counselors or an assigned, approved counseling service may be recommended as part of a sanction. Such treatment may also be a condition of readmission to the University or a condition of remaining at the University.