

WHEELING

JESUIT

UNIVERSITY

**2018-2019 STUDENT
HANDBOOK**

**Division of Student Services
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Dear Wheeling Jesuit Student,

Wheeling Jesuit University's Student Handbook is the guide to your rights and responsibilities as a Wheeling Jesuit community member. Please read this document carefully and if you have any clarifying questions, please contact a member of the Student Services professional team. It is each student's responsibility to read and be familiar with the information contained in the Student Handbook and ignorance of a policy is not an acceptable excuse for violating it. Enrollment at Wheeling Jesuit University implies acceptance of these policies and procedures and makes them binding on all students. The Academic Catalog is an equally important source of institutional policies, expectations, and deadlines typically related to academic affairs. You need to be familiar with it as well. Students are expected to exemplify responsible behavior wherever they may be; as a result, the Student Code of Conduct applies to students both on and off campus.

We are committed to your educational and personal development and want to help you get the most out of your time at Wheeling Jesuit. To do so, we invite you to take advantage of the countless opportunities to enhance your Life, Leadership, and Service by actively engaging the resources that are available to you.

Along with understanding your rights and responsibilities of being a member of the WJU community, you should also understand your rights and resources under Title IX <http://wju.edu/titleix/> Look for ongoing educational opportunities throughout the year to learn more about how you can be an active bystander to respond to incidents of discrimination and bias. As our Mission Statement declares: "To model the Jesuit concern for regional and global neighbors, the University welcomes people of all creeds, races and nationalities to share in the intelligent pursuit of excellence." Respect for gender differences and personal safety goes without saying. I know you will join me in upholding this standard for yourself and others.

While at Wheeling Jesuit, you will find many opportunities for leadership and fun through varsity, intramural, and club athletics, co- and extra-curricular clubs and programs, and opportunities to serve and connect with causes that interest you on the local, national, and global level. On behalf of the Division of Student Services, have a great year!

Sincerely,
Dr. Daniel Dentino
Vice President for Student Services & Mission Identity

MISSION, GUIDING VALUES, AND STUDENTS' RIGHTS AND RESPONSIBILITIES

MISSION STATEMENT

Life

The Jesuit traditions of educational excellence and service to others guide all the programs at Wheeling Jesuit University. By integrating learning, research and economic development with classical knowledge and Christian revelation, the University seeks to foster competence, creativity and innovation throughout and beyond the campus community. Graduates of the University enter the world of work with socially responsible goals, a lifelong appetite for learning and the desire to make our universe a better place.

Leadership

To model the Jesuit concern for regional and global neighbors, the University welcomes people of all creeds, races and nationalities to share in the intelligent pursuit of excellence. The University promotes close student-faculty contacts and encourages students to develop their full potential for leadership. Through a grounding in the liberal arts and, above all, example of Jesus Christ, the University endeavors to produce intelligent, moral leaders who will champion the Jesuit values of faith, peace and justice. Wheeling Jesuit envisions a dynamic leadership role for the University in the lives of its students and in the world at large.

Service With and Among Others

In its faculty and students, its research and outreach, the University is national and international. Yet as the only Catholic institution of higher learning in West Virginia, Wheeling Jesuit also values its distinctive mission to the immediate area, educating local men and women and returning them to enrich their own communities. Wheeling Jesuit University firmly believes its graduates will enter the professional world prepared to use their God-given talents not solely for personal fulfillment but as men and women in service to others.

GUIDING VALUES

The spirit of policies governing campus life at Wheeling Jesuit University, and the University's enforcement of these policies, are routed in the following tenants of our rich Jesuit tradition:

- ***Women and Men for Others:*** Generously serving our neighbors (including fellow students and University employees), especially when challenged by social forces and self-interests.
- ***Cura Personalis:*** Latin for "care of the whole, individual person."

- **Magis:** Latin for "more," suggesting a spirit of excellence.
- **Finding God in All Things:** As members of a Jesuit community, we are all invited to search and find God in every circumstance of life.
- **Jesuit Pedagogy:** Jesuit teaching style that recognizes that everyone, in some capacity, serves as a teacher and mentor.
- **Service of Faith & Promotion of Justice:** To grow in faith and to have that faith reflected in action to change unjust social structures.
- **Discernment:** A process for making choices when the option is not between good and evil, but between several possible courses of action all of which are potentially good.

STUDENT RIGHTS AND RESPONSIBILITIES WITHIN THE UNIVERSITY COMMUNITY

Students' Rights

Supporting these expectations described in the mission, all student members of the Wheeling Jesuit University community have certain rights. These include:

- The right to learn, including the right of access to ideas, the right of access to facts and opinions, the right to express ideas, and the right to discuss those ideas with others in a civil, non-hostile environment.
- The right to be treated as an individual member of the community, including the right to be free of discrimination based on age, sex, religion, ethnic or national origin, handicap, sexual orientation, or status as a veteran, and the right to be free from harassment of any type.
- The right of peaceful coexistence, including the right to be free from violence, force, threats, and abuse, and the right to move about freely.
- The right to be free of any action that unduly interferes with student rights and/or a supportive learning environment.
- The right to express opinion, which includes the right to respectfully state agreement or disagreement with the opinions of others and the right to an appropriate forum for the expression of opinion.
- The right of privacy, which includes the right to be free of unauthorized search of personal spaces.

Student conduct standards at Wheeling Jesuit University should not be equated to state or federal criminal Codes. Even in cases involving suspension or expulsion, our aims include education and student development as well as a just consequence. Consequently, our processes—grounded in fundamental fairness—are focused on disciplined and courteous truth-seeking, not adversarial procedures. We conduct investigatory proceedings, conferences and hearings, not trials.

In student conduct procedures, students have:

1. The right to be informed of charges of misconduct,
2. The right to adequate time to prepare a response to the charges,

3. The right to hear evidence in support of the charges,
4. The right to present evidence against the charges, and such other procedural rights as are provided in this policy.

Student Rights within the Conduct Process Students facing possible student conduct action for alleged violations of community standards are entitled to the following procedural rights:

- The right to be notified of charges against him/her with sufficient detail.
- The right to know the nature and source of the evidence that will be used against him/her, per federal regulations.
- The right to present evidence and witnesses relevant to his/her defense.
- The right to freedom against compulsory self-incrimination.
- The right to confidentiality, to the extent permitted by, and consistent with, applicable federal and state law.

Students' Responsibilities

Along with rights come certain responsibilities. Student at the University are expected to act consistently with the values of the University community and to obey local, state, and federal laws. Students also have the:

- The responsibility for knowledge and observance of established university policies and other information presented in official university publications or electronic resources.
- The responsibility for assuming the consequence of one's own actions and holding oneself and other accountable for the Code of Student Conduct.
- The responsibility to honor and allow for free discussion, both in and out of the classroom, which represents the scholarly nature of an academic community.
- As stated in the University's non-discrimination policy, students have the responsibility to ensure that no student organization, constitution, or other organizational document includes discriminatory clauses pertaining to "race, color, religion, national or ethnic origin, ancestry, age, sex, sexual orientation, gender identity or expression, disability, veteran status or any other legally protected status".

INTERPRETATION AND REVISION:

Any question of interpretation or application of the Student Handbook shall be referred to the Vice President for Student Services and/or his/her designee. The Student Handbook shall be reviewed and updated as necessary annually under the direction of the Vice President for Student Services and his/her designees. The University reserves the right to edit the Student Handbook at any time; any such revisions will be posted to and noted in this online version of the Student Handbook.

When revisions require immediate changes to actual policy and/or procedures, students will receive written notification of such changes via University email. Policies and procedures may change due to necessity and/or at the discretion of the Vice President for Student Services or his/her designee.

STUDENT CODE OF CONDUCT

MEN & WOMEN FOR OTHERS: PURSUIT OF THE COMMON GOOD

The quality of a Wheeling Jesuit University education is dependent upon the community acceptance and enforcement of the Honor Code. The Student Honor Code (Adapted Spring 2002 by Student Government) reads:

We, as unique members of the Wheeling Jesuit University community, strive for constant improvement of ourselves through discipline, honesty, and responsibility. While embodying the values of integrity, accountability, and respect for others, we wish to be instruments of hope, justice, and righteous action.

A student's decision to enroll at Wheeling Jesuit University indicates that they accept an invitation to participate, not only in their personal growth and development, but also in the growth and development of a "*community marked by freedom, mutual respect, and civility.*" Students also accept the rights and responsibilities of membership in this community. The choice to become a member of this community implies the commitment to accept the rights and responsibilities of that membership, and students' participation in the process of developing the individuals and community we seek. We value the opportunity to provide a liberal arts education in the Jesuit tradition, and strive to maintain the living and learning environment in which that can occur. Our individual and communal respect for the dignity, integrity, and well-being and property of others is essential to develop and maintain the Wheeling Jesuit University community.

In order to create an environment whereby students can live safely, succeed academically, and develop skills for life, leadership, and service, the University relies upon students to know and adhere to standards of behavior guided by university policies as well as local, state, and federal laws. While the Student Handbook attempts to include information on most of these regulations and policies, students need to review other publications and documents, e.g. the Academic Catalog and financial aid documents, available through various offices on campus. When Student Code of Conduct violations initiate in an academic forum, student conduct processes will occur in sync with specific academic departmental processes.

The university conduct process is based on the assumption that conduct procedures, when required, should be an educational experience. Sanctions are imposed to help students develop a

sense of personal responsibility, to encourage self-discipline, to foster healthy choices, to promote respect for the rights of others, as well as to protect the rights, freedoms and safety of the entire campus community.

Proceedings pursuant to the Student Code of Conduct shall be fair and expeditious. The procedures of criminal and civil courts shall not govern Wheeling Jesuit's private campus conduct procedures; as such, formal rules of evidence are not applicable. In all instances, university officials leading the conduct process bear the burden of establishing, by a consideration of the totality of evidence, that **more likely than not**, a violation of the student code of conduct has occurred. This standard indicates that the evidence presented is 51% likely to be true; this standard is lower than the "beyond a reasonable doubt" standard.

The student does not have the right to legal counsel representation at any time during university proceedings. Students may designate a pre-approved University employee to serve as their Advisor at their hearing. Employees holding law degrees and/or who are student's family members cannot serve as Advisors. Advisors may furnish advice only to the student during the hearing. Advisors are allowed only at the discretion of the Vice President for Student Services and/or or the Vice President for Academic Affairs (for academic dishonesty violations and/or either of their designees) if their presence is deemed helpful to increase the educational value of the process and/or to provide personal support to the student. If allowed, the Advisor's role is to be one of consultation and support, not advocacy. Advisors will not be permitted to take part in conduct proceedings without a written release form from the student in question, indicating the students' approval of the advisor's presence in their conduct proceedings.

These standards are established to address allegations of student misconduct across campus. The student conduct systems exist in a seamless environment to protect the rights of members of the community based on our Jesuit values and established by the policies of the University. The conduct system is designed to educate students, encourage sound decision-making and provide opportunities for growth and personal development, when found to be in violation of these community values. Wheeling Jesuit University's student conduct process will follow established procedures to ensure the integrity of the conduct process and an educational experience that facilitates the development of the individual and in accord with the university Jesuit values, including *becoming men and women for others*.

DEFINITIONS

- The term "**University**" shall refer to the community of faculty, staff, and students at Wheeling Jesuit University, as well as to premises and facilities.
- The term "**student**" shall include any person currently enrolled, in the process of registration, or who will be registered for an academic term, course, program, or activity at the University.
- The term "**faculty member**" shall mean any person employed by the University who holds academic rank or performs teaching or research duties.

- The term "**staff member**" shall mean any person employed by the University who is not considered faculty.
- The term "**University premises/facilities**" shall mean all buildings or grounds owned, leased, operated, controlled, or supervised by the University or any other recognized University affiliates.
- The term "**organization**" shall mean a group of persons who have complied with University requirements for registration or recognition.
- The term "**University (sponsored) activity**" shall mean any activity, on or off campus, which is initiated, aided, funded, authorized, or supervised by the University.
- The terms "**will**" and "**shall**" are to be used in the imperative sense, not imparting a choice.
- The term "**may**" is to be deemed permissive, imparting a choice.
- The terms "**Vice President for Student Services**", "**Chief Conduct Officer and Deputy Title IX Coordinator**", and "**Director of Residence Life**" refer to individuals holding those positions and/or their designees.
- The term "**University official**" includes all full, part-time, and contracted employees, including paid law enforcement hired for specific University events and student employees such as Resident Assistants.

STUDENT CODE OF CONDUCT VIOLATIONS

The following violations of the Student Code of Conduct standards will be processed through the Vice President for Student Services and/or his/her designee. Violations occurring off-campus and in online forums are subject to the terms of the Student Code of Conduct.

- A. FALSE INFORMATION:** Furnishing false information to or about any University Official acting in performance of his/her duties. This includes but is not limited to false reporting of emergencies.
- B. FAILURE TO COMPLY:** Not cooperating and/or failure to comply with any University Official or law enforcement officers acting in performance of their duties. This includes but is not limited to not presenting proper identification when requested and not honoring an employees' request to meet to discuss University business.
- C. FALSIFYING DOCUMENTS:** Forging, altering, misusing, creating false, or failure to provide accurate and required information on University documents, records, or identification cards.
- D. THEFT/BURGLARY:** Taking or unauthorized use, possession, or destruction of public or private property (either on or off-campus) or services or acts committed with disregard of possible harm to such property or services. This includes, but is not limited, to theft and/or unauthorized entry into the University dining hall, the coffee-shop, the RATT, and campus shop bookstore.
- E. KEYS/CARDS:** Unauthorized possession, duplication, or use of keys or access cards to gain entry into any University premises or services.
 - a. Students are expected to carry their Cardinal Cards with them at all times and are required to produce Cardinal Cards upon the request of any authorized person (university administrators, residence hall staff, faculty, or Public Safety officers).
 - b. All Keys/Cardinal Cards are the property of Wheeling Jesuit University and are non-transferable.
 - c. Keys/Cards may not be loaned or given to anyone under any circumstances.
 - d. If a key/Card is lost, the resident must notify the Office of Residence Life within 48 hours. A lost key will require the replacement of the keys, changing the core and changing the cylinder for the locks involved. The student will be charged for each lost key to any university facility. Students will also be charged to replace their lost Cardinal Card.
 - e. Failure to return keys when a student checks out of the residence hall and before leaving campus will result in fines and replacement costs.

- f. The Office of Residence Life will conduct periodic key audits during the academic year. Students failing to produce a key and/or who have not reported a key missing will be charged with a violation of policy.
- F. TRESPASSING:** Unauthorized entry into or use of University premises. This includes, but is not limited to, persons violating the residential visitation policy by not signing into the hall they are visiting and/or not having a resident escort, attempting to force open locked doors, and attempting to gain entry to University buildings during times of University closure.
- G. MISREPRESENTATION:** Participating in and/or encouraging actions that intentionally misrepresent the University in an official capacity. This includes but is not limited to operating a campus organization without proper University recognition and falsely misrepresenting oneself as a University employee and/or with the authority of an employee.
- H. UNIVERSITY DISRUPTION:** Disrupting the normal operations of the University and/or infringing on the rights of other members and/or guests of the University community.
- I. ALCOHOL:** Violation of the University Alcohol Policy (Please see the Student Handbook's additional policies section: *Student Code of Conduct - "I. Violation of the Alcohol Policy"*)
- J. RESIDENCE LIFE:** Violation of Residence Life Policies (Please see the Student Handbook's additional policies section: *Residence Life & Residence Hall Policies*)
- K. INTERFERING WITH CONDUCT PROCESS:** Actions which interfere with or obstruct the Student Conduct Process. Sub-charges may include, but are not limited to:
- a. **FALSE INFORMATION:** Falsifying, distorting, or misrepresenting information to the Student Conduct Board or hearing officer.
 - b. **DISCOURAGEMENT:** Attempting to discourage an individual's proper participation in, or use of, the Student Conduct system; this includes violation of the No Retaliation Policy.
 - c. **INFLUENCE OFFICER:** Attempting to influence the impartiality of a member of a hearing office or member of a hearing board prior to, during, and/or after a Student Conduct proceeding.
 - d. **INFLUENCE PERSON:** Influencing or attempting to influence another person to commit an abuse of the Student Code of Conduct system.
 - e. **OUTSIDE INVOLVEMENT:** Actions that seek to involve others in confidential student conduct processes when there is no legitimate need for their involvement;

this includes participation in gossip and/or actions that take place in an online forum and/or via text messaging.

- f. **NO SHOW:** Failure to appear at a hearing without prior notification.
 - g. **INCOMPLETE SANCTION:** Failure to complete an assigned sanction.
- L. ILLICIT DRUG:** Violation of the University Illicit Drug Policy. Please see the Student Handbook's additional policies section: *Student Code of Conduct - "L. Violation of the Illicit Drug Policy"*). The University reserves the right to conduct drug screenings with probable cause.
- M. WEAPONS:** Possession and/or use of firearms, explosives, ammunition, fireworks, and/or weapons. Weapons may include, but are not limited to: metallic knuckles; slingshots; bows and arrows; switchblade knives; non-cooking knives with blades more than three inches in length; paintball, BB, or pellet guns; tasers, stun guns, and/or other deadly weapons; or dangerous chemicals. Toy guns are not permissible; this includes look-alike weapons and nerf guns.
- N. FIRE/EXPLOSION:** Actions that cause or attempt to cause a fire or explosion; falsely reporting a fire, an explosion or an explosive device; tampering with fire safety equipment; failure to evacuate University buildings during a fire alarm.
- O. HAZING:** Hazing or any act that recklessly or intentionally endangers the mental or physical health or safety of a person, for the purpose of initiation or admission into, affiliation with, or as a condition for the continued membership in a group or organization. Hazing includes, but is not limited to, any act in which a person would not normally participate.
- P. LOCAL/STATE/COUNTRY:** Violations and/or charges of violations of any municipal or county ordinance, any law of the State of West Virginia, or any law of the United States.

- Q. DISORDERLY CONDUCT:** Disorderly, lewd, or indecent conduct; breach of peace; Engaging in acts or procuring another student to participate in acts that disrupt or interfere with the lawful administration or functions of the University.
- R. HARMFUL ACTS:** Actions or threats of action committed with disregard of possible harm to self, an individual, or group. This includes but is not limited to acts of retaliation and actions that inflict mental or physical harm and/or injury to self, an individual or group, including acts of Sexual Misconduct, relationship/domestic violence and invading privacy rights of others within the University community or outside of the University community while enrolled as a student. This includes, but is not limited to, acts that take place in an online forum or via text messaging.
- S. THREATS/HARASSMENT/STALKING:** Acts of verbal or written abuse, threats, intimidation, harassment, coercion, fighting words, and/or other conduct which create an intimidating, hostile, or offensive working, living or educational environment, including, but not limited to, racial and sexual harassment and/or stalking. This includes, but is not limited to, acts that take place in an online forum or via text messaging.
- T. INFORMATION TECHNOLOGY:** Violation of the *Information Technology Policies* This includes, but is not limited to misuse of university computer networks, misuse of the WJU alias email accounts and misuse of WJU social media and computer networks.
- U. INAPPROPRIATE CONDUCT:** Inappropriate conduct and/or actions that demonstrate irresponsible and/or discourteous conduct individually and/or collectively while participating in a University-related function, on or off-campus.
- V. OFF-CAMPUS BEHAVIOR:** Disruptive behavior that occurs while students are visiting locations off-campus while enrolled in classes. This includes, but is not limited to, behaviors that disturb the peace of the residential neighborhoods bordering campus.
- W. DISRESPECTING OFFICIALS:** Disrespecting a University official acting in performance of his/her duties.
- X. DISTURBING THE PEACE:** This includes actions that disturb the peace and good order of the university community, including but not limited to fighting, quarreling, the use of amplifiers, bullhorns, musical instruments, loud music, or other mechanisms or communication beyond that of the natural voice and without prior permission from University officials.

- Y. MOTORIZED VEHICLES:** Reckless operation of a vehicle or wheeled transportation on University grounds. This includes, but is not limited to, motorized vehicles, skates, and bicycles used without the proper regard for safety, courtesy and caution.
- Z. VANDALISM:** Acts of vandalism or carelessness that intentionally defaces and/or litters campus grounds and/or University buildings or general property; this includes but is not limited to improper disposal of chewing gum, cigarettes, and other forms of trash.
- AA. INDUCING A PANIC:** Inducing a panic, including but not limited to: a) causing the evacuation of a space, b) causing serious public inconvenience or alarm, c) initiating or circulating a report or warning of an alleged or impending fire, explosion, crime, or other catastrophe, d) knowing that such report or warning is false, e) committing/ threatening to commit any offense of violence with reckless disregard of the likelihood that its commission will cause serious inconvenience or alarm to the University and/or local community.
- AB. DEFAMATION:** Actions that defame the reputation of and/or that are contrary to the Jesuit, Catholic values of Wheeling Jesuit University. As members and representatives of the University community, students' actions should uphold the mission and values of the institution. This includes actions that take place in an online forum and/or via text messaging.
- AC. WILDLIFE HARM:** Actions or threats of action committed with disregard of possible harm to animals, including wildlife found on campus grounds.
- AD. DINING SERVICES:** Inappropriate behavior within campus dining service venues or events. This list is not limited to: The Benedum Room, The Coffee Shop, Das Rathskeller, Catered Events. See also additional policies at the following link - <http://wju.edu/foodservice/diningguide.html>
- a. **ENTRANCE/EXIT:** Students must enter and exit the dining facilities through the designated doors. This prevents the unfortunate incidence of theft from occurring by persons entering the dining hall without proper payment for services
 - b. **CLOTHING:** Clean shoes and appropriate attire are required when in the dining facilities.
 - c. **TAKEOUT:** Food cannot be removed from the dining facility, unless in an approved take-out container and following the take-out guidelines.
- AE. FIRE ALARM:** Actions committed with disregard to possible harm to self or others during the evacuation process of a building. When a fire alarm sounds, students are expected to:
- a. Close windows/doors and turn off lights and electrical equipment if time allows.
 - b. **DO NOT** use an elevator during an alarm.

- c. Walk; do not run, to the nearest exit. If the closest exit is blocked by fire or smoke, find an alternate exit. If smoke is in the exit path get down as low as possible (crawl).
- d. After exiting, move 100 feet from the building and follow instructions from the Residence Life staff, Security Officers, and/or Fire Department officials.
- e. DO NOT re-enter the building unless permitted to do so by authorized fire officials.

AF. DRONE/UNMANNED AIRCRAFT: The use/operation of drones/unmanned aircrafts is not permitted on University premises including the interior and exterior of university buildings. This is due to both Federal Aviation Association requirements and risk management/liability issues. Exceptions may be made for official institutional use or research/teaching use; those instances will be managed through the Office of Public Safety.

AG. RECORDING DEVICE: Undisclosed and unauthorized recording of other individuals within the University community. Making, attempting to make, transmitting, or attempting to transmit audio or video of any person(s) on University premises in bathrooms, showers, bedrooms, university offices, or other premises where there is an explicit expectation of privacy with respect to nudity and/or sexual activity, without the knowledge and consent of all participants subject to such recordings.

AH. REPORTING POLICY- Failure to report known or suspected violations and/or crimes as indicated by the student code of conduct is itself a violation and may lead to discipline actions.

STUDENT CODE OF CONDUCT: LEVEL SYSTEM

Introduction:

Violations of Social Community Standards are classified within a Level System; since no two incidents are identical, the Conduct officer or Conduct Board is called upon to use their professional judgment in issuing appropriate sanctions and/or decisions. The corresponding list of sanctions is not all-inclusive; this information is to serve as a guideline, not a cookbook, for potential sanctions. Sanctions, including fines, may be increased for violations occurring during times of non-regular University functioning, including during University break periods, during the summer recess, and when students are permitted to return to campus prior to the official opening of the residence halls.

Levels need not be sequential in order. A student may be immediately placed on a higher level of sanctioning without progressing through the lower levels. Likewise, a student placed on a higher level of violation may be moved to a lower level upon satisfactorily completion of sanctions and/or a period of time without further Code of Conduct violation(s); this does not apply to

students charged with violations of the Alcohol and Illicit Drug Policy. A student's placement on a Level is dependent on several factors, including a student's conduct history at the University and factors involved with each individual situation (i.e. context of each student's involvement); students involved in the same situation may find themselves at different Levels.

Level 1: Alert Status

Typical Violations: Level 1 Violations are minor violations that impact the Wheeling Jesuit Community. The Conduct officer/board hearing the case will determine the sanction. Students are not eligible to graduate or to receive transcripts until they complete any outstanding student conduct proceedings or sanctions.

Level 2: Warning Status

Typical Violations: Behavior of a more serious nature that impacts the University community. Level 2 offenses have a more serious impact on the University community than Level 1 offenses but less of an impact than a Level 3 offense.
Typical Sanctions for Level 2 Violations: The Conduct officer/board hearing the case will typically determine the sanction. Students are not eligible to graduate or to receive transcripts until they complete any outstanding student conduct proceedings or sanctions.

Level 3: Conduct Probation

Typical violations: Behavior and/or a conduct history that jeopardizes the safety and well-being of others in the campus community and/or integrity as an educational institution founded in the Jesuit tradition, and/or that severely calls into question a student's suitability as a Wheeling Jesuit University student.

Level 4: Suspension

Typical violations: Behavior and/or a conduct history that deems the student to be a clear threat to the university community and/or to the University's integrity as an educational institution founded in the Jesuit tradition and/or that deems the student unsuitable as a Wheeling Jesuit University student. Student behavior necessitates a separation between the student and the University for a specified amount of time with parameters set forth for a student's return to campus. Students are not permitted to withdraw from the University when a conduct case has yet to be adjudicated where a Level 4 sanction may be the outcome.

Level 5: Expulsion

Typical violations: Behavior and/or a conduct history that deems the student to be a clear threat to the university community and/or to the University's integrity as an educational institution founded in the Jesuit tradition and/or that deems the student unsuitable as a Wheeling Jesuit University student. Separation is permanent and student behavior is deemed unsuitable to continue at Wheeling Jesuit University at any time in the future. Expulsion from the University is the only sanction. Students are not permitted to withdraw from the University when a conduct case has yet to be adjudicated where a Level 5 sanction may be the outcome.

Definitions of Conduct Sanctions

- **Disciplinary/Written Warning:** The student is given formal written notice that the student has violated a code of conduct.
- **Educational Sanction and/or Activity:** A student is required to perform a positive action for the university community by completing a campus work assignments, writing a letter of apology, completing an educational program, or an educational reflection/paper.
- **Monetary Sanctions:** Monetary Sanctions may be assessed as a punitive measure and may include restitution for loss of or damages to University or personal property or cost of medical expenses for bodily injury resulting from a student's actions. Whenever possible, funds attained will be used to support programming in the residence halls that promote the educational mission of the university.
- **Parental Notification:** A copy of the student's conduct letter is typically mailed to the address on file for parents/guardians of students found in violation of the following: Underage Alcohol Possession/Consumption, Drug-related violations, if a student is recommended to go to the hospital as a result of the Alcohol Overuse protocol being utilized, or a student behavior warrants Level 3: Probation Status.
- **Loss of University Privileges:** Denial of specific University privileges such as, but not limited to residence hall visitation for a designated period of time.
- **Community Restitution:** Non-paid work for the university community, for a specified administrative area or Physical Plant area of the University. Hours for restitution will vary depending on the severity of the offense and the student's conduct history.
- **Conduct Probation:** For specified or indefinite period of time; during this time, the student is deemed not in good student conduct standing and cannot hold an elected or appointed office in any student organizations registered with the University, or hold University paraprofessional employment such as Resident Assistant, Luceat, or Summer Conference staff member. A student's placement on Conduct Probation may be considered during proceedings of the Academic Life Committee and the Financial Aid Committee. Any student placed on conduct probation may lose scholarship money (e.g. Presidential Scholarship, Dean's Scholarship, Athletic Scholarship, or any other Academic Scholarship), eligibility to work in a campus job, and may lose eligibility to represent the University on their Athletic Team.
- **Assessment Requirements (On or Off Campus):** A student may be required to complete a specified assessment relative to the violation committed; all assessment reports shall be submitted to the Director of Residence Life and will become part of the students' conduct record. Any cost associated with these assessments will be the responsibility of the student.

- **Weekend Suspension:** The student is not permitted on campus from Friday at 5:00 pm and until Sunday at 5:00 pm.
- **Residence Hall Transfer or Removal:** A student is required to transfer residence halls or leave the residence halls for a specified or indefinite period of time.
- **Residential Suspension:** The student is required to immediately vacate campus for a specified or indefinite period of time. The student must comply with all sanctions prior to readmission to campus housing. *Note: Students suspended from campus housing, regardless of the amount of time remaining in the semester, are not eligible for refunds or rebates for charges associated with housing or meal plans.* Additionally, students suspended from campus housing will forfeit the receipt of institutional financial aid up to the full cost of room and board, per the university housing policy.
- **University Suspension:** The student is required to leave the University for a specified or indefinite period of time. The student must comply with all sanctions prior to readmission. *Note: Students suspended from the University, regardless of the amount of time remaining in the semester, are not eligible for refunds or rebates for charges associated with housing, meal plans, tuition, or fees.* In the case of expelled/suspended students who also receive Title IV federal aid, a Return of Title IV Refund Calculation will be completed; this may result in the suspended student owing an additional balance to the University. This information will be determined on an individual basis by the Financial Aid Office. Please refer to the Academic Catalog Refunds policy for additional information.
- **Interim Housing and/or University Suspension:** If a student's continued presence constitutes an immediate threat of harm to the student, other individuals, or University property, the Vice President for Student Services and his/her designee, may suspend that student from the University and/or University housing pending final disposition of the case. In most cases, interim suspension will take place before a hearing. Within ten working days of issuance of the interim suspension, a full hearing will be convened to review the circumstances of the interim suspension. Please refer to the Academic Catalog Refunds policy for additional information.
- **Expulsion:** The student is permanently and immediately expelled and cannot continue at the University in any status. *Note: Students expelled from the University, regardless of the amount of time remaining in the semester, are not eligible for refunds or rebates for charges associated with housing, meal plans, tuition, or fees.* In the case of expelled students who also receive Title IV federal aid, a Return of Title IV Refund Calculation will be completed; this may result in the expelled/suspended student owing an additional balance to the University. This information will be determined on an individual basis by the Financial Aid Office.

RESOLVING CASES

Prior to Conduct Hearing:

Any member of the University community may submit a report for consideration by the Vice President for Student Services and/or his/her designee against a student for violations of the Code of Student Conduct. All charges must be prepared in writing and directed to the Vice President for Student Services and/or his/her designee. Any charge should be submitted in writing as soon as possible following the incident. The Chief Conduct Officer, or his/her designee (which may include the Conduct Board), will typically investigate the charges to determine their merit and/or if they can be addressed administratively with the consent of the parties involved.

Upon receipt of reports of alleged Student Code of Conduct violations, students will receive notification of charges of an alleged violation of the Student Code of Conduct; this notification is typically received within five business days of the date on the report. Timeline for receipt of initial notification of a conduct charge may be delayed for situations that occur during University break periods and during the summer months. This notification will outline the date of the alleged incident, which violations of the Student Code of Conduct with which the student is being charged, and other relevant information to appropriately notify the student of the incident and charges in question. In most cases, the letter will also designate a pre-arranged hearing date; it is the student's responsibility to either attend the pre-arranged appointment designated in their notification or to set up an appointment with the hearing officer within 24 hours of notification. **Notification will most likely occur via the students' University email account. Students are required to check their email on a regular basis (minimally, every 48 hours) to ensure prompt receipt of messages.**

Types of Conduct Hearing Meetings & Conduct Violation Resolution:

- **Administrative Hearing:** During an administrative hearing, the details of the documentation will be discussed and reviewed with the Conduct Officer or Conduct Board assigned to that case and the student(s) involved. A student has the opportunity to comment on this documentation and present witnesses and evidence on his/her own behalf.
 - **Advisor:** Students may request to have an Advisor present at an Administrative Hearing; the Chief Conduct Officer or his/her designee has final authority to determine if an Advisor will be allowed. If allowed, the advisor must be a member of the University community and may not be an attorney or a family member/legal guardian. The advisor ensures that the student understands the student conduct

process and is supported /prepared for the hearing. The advisor may not represent the student by speaking for the student, by questioning witnesses, or requesting documents and/or meetings pertaining to the student's conduct records/case.

- Before the end of this hearing, the student will be asked whether or not they choose to take responsibility for his/her actions. The appropriate professional staff conducting the hearing will make a final decision, based on the facts of the case and the outcome of the Administrative Hearing, whether or not to hold a student responsible for the alleged policy violation; the professional staff will determine resulting sanctions (if any). Students will receive a final letter outlining the outcome of the hearing within 15 working days (3 weeks) of the hearing.
- **Sexual Misconduct Grievance Procedure:** Please refer to the following link for questions regarding this process - <http://wju.edu/titleix/pdf/grievance-procedure.pdf>
- **Conduct Board Hearing:** This is a formal, audio- taped process that occurs in front of either the Student Conduct Board or University Conduct Board. Cases can be heard by a conduct board if they involve individuals: a) with extensive conduct histories; b) with charges that could lead to suspension/expulsion; or c) who have been charged with violations that impact the University community.
 - During the hearing process, the charged student has the opportunity to discuss and comment on the documentation of the case and to question all witnesses and present witnesses and evidence on his/her own behalf.
 - Advisor: All students have the right to have an Advisor present at all Conduct Board Hearings. The advisor must be a member of the University community and may not be an attorney or a family member/legal guardian. The advisor ensures that the student understands the student conduct process, and is supported and prepared for the hearing. The advisor may not represent the student by speaking for the student, by questioning witnesses, or requesting documents and/or meetings pertaining to the student's conduct records/case.
 - After reviewing the case with the student charged, the members of the Conduct Board will deliberate in private to make a final decision, based on the facts of the case and the outcome of the Conduct Board Hearing, whether or not to hold a student responsible for the alleged policy violation; the Conduct Board will recommend resulting sanctions (if any).

- Students will receive a final letter outlining the outcome of the hearing within 10 working days (2 weeks) of the hearing. A Conduct Board Hearing can only occur when a trained board is available to hear a case.
- **Summary Hearing:** This is an abbreviated version of an Administrative Hearing that is called by the Vice President for Student Services, Chief Conduct Officer, and/or his/her designee, to immediately address and resolve the case if:
 - A student's continued presence constitutes an immediate threat of harm to the student, other individuals, or University property.
 - The violation occurs two weeks prior to any official University recess or during the summer recess.
 - Deemed necessary to protect the safety and security of campus and integrity of the conduct process.
 - Immediate campus restrictions and/or sanctions may be put by in place in the cases of a summary hearing. In the cases of summary hearings, student may not receive an initial letter outlining charges against him/her. Students will receive a letter outlining the charges, outcome of the hearing, and options for appeal.

Hearing Board/Officers:

- **Student Conduct Board:** The student conduct board is composed of two elected students, and one member of the faculty, staff, or administration. Student Government Association Executive Board members may also be trained to serve on the Student Conduct Board in the event that additional students are needed to discern cases going before the Student Conduct Board. The Student Conduct Board has the ability to recommend suspension or expulsion to the Chief Conduct Officer or Vice President for Student Services.
- **University Conduct Board:** The board is composed of at least two elected students and at least two members of the faculty, staff, or administration. Student Government Association Executive Board members may also be trained to serve on the University Conduct Board in the event that additional students are needed to discern cases going before the University Conduct Board. The university conduct board has the ability to recommend suspension or expulsion to the Chief Conduct Officer or Vice President for Student Services.
- **Chief Conduct Officer:** The Chief Conduct Officer has the ability to recommend suspension or expulsion to the Vice President for Student Services.
- **Vice President for Student Services:** The Vice President for Student Services is the Chief Student Affairs Officer and is the supervisor of the Chief Conduct Officer.

Case Delegation:

Level 1, 2, & 3 Violations

The Chief Conduct Officer, Residence Life Area Coordinators, or a Conduct Board will most likely determine the outcome of Level 1, 2, and 3 violations (this is up to the discretion of the Chief Conduct Officer). On occasion, Level 3 violations may be heard by a Conduct Board when the student does not have a prior history of going before a Conduct Board where the case may result in a Level 4 or 5 outcome.

Level 4 & 5 Violations

Upon report of such violations, the Vice President for Student Services or the Chief Conduct Officer will most likely meet with the student for an administrative hearing concerning the alleged violation and determine the outcome. As applicable, a Conduct Board may also hear such cases.

Athletics Department Notification of Student Conduct Cases

Student athletes are asked to sign an agreement to allow Student Services staff to share conduct information with their coaches and the Director of Athletics. When students sign this agreement, the Division of Student Services has the ability to notify coaches of conduct issues involving student athletes; coaches may also be notified of the resulting University sanction. The coach and/or the Director of Athletics can add to that sanction as they deem appropriate; these additional actions may include, but are not limited to, sitting out of practice and/or athletic competition. Coaches are typically notified in the event of a student conduct case.

When student athletes reach Level 3 status, the Vice President for Student Services and/or his/her designee will work with the Athletic Director and/or his/her designee to review the student's situation and to develop an appropriate response regarding his/her continued athletic participation.

APPEALS

A student has the right to appeal disciplinary sanctions per the information below. Appeals are not granted on the basis of disagreement with the decision of the original hearing. Upon receipt of the sanction, a student will have up to five business days to file a written appeal to the:

Initial Hearing Officer	Appeals will be heard by:
Student Conduct Board	Chief Conduct Officer
University Conduct Board	Vice President for Student Services
Chief Conduct Officer	Vice President for Student Services
Conduct Officer	Chief Conduct Officer

Appeals need to be submitted to the appropriate University employee as outlined above.

A student may appeal only on the following grounds:

1. The hearing was not conducted in the manner provided under the Student Code of Conduct.
2. There was insufficient evidence to establish responsibility.
3. There is new evidence that exonerates, clears the student, or puts the conduct situation into a different context.
4. There is new and substantial information not previously considered in the disciplinary process.
5. The student witnessed or experienced bias or discrimination during the conduct process.
6. The imposed sanction is too severe.

Students are to clearly state their case in their written appeal, identify which of the above grounds of appeal on which they are appealing. If the written appeal does not meet one of the six criteria noted above, the student will be notified in writing that the request for appeal is denied and the initial decision and sanction(s) will remain in effect. **To be considered, written appeals should provide sufficient detail for the reason for the appeal; lack of sufficient information contained within a written appeal is grounds for denial.**

If the appeal meets at least one of the criteria above, appeals submitted to the appropriate individual will be reviewed and decided within 20 business days of the receipt of the appeal. Appeals submitted to the Vice President for Student Services will be reviewed and decided within 30 business days of the receipt of the appeal.

The student will receive written notification of the appeal from the Chief Conduct Officer or Vice President for Student Services. In some instances, students appealing a decision may be asked to an appeals meeting to discuss the situation; however, such meetings are not necessary for an appeal to be considered and decided upon.

The individual who receives and decides on the appeal may choose one of four options:

1. The appeal is granted, and the sanctions are overturned.
2. The appeal is granted, and the sanctions are modified.
3. The appeal is denied, and the sanctions remain in effect.
4. The appeal is denied and additional sanctions are imposed.

Appealing a decision typically postpones the imposition/completion of sanctions. In cases involving the welfare of the student or University community, interim measures may be taken to protect the student or University community.

VIOLATIONS OF FEDERAL, STATE OR LOCAL LAW

University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Vice President for Student Services or his/her designee.

Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

OFF CAMPUS CONDUCT

Wheeling Jesuit University students are responsible to the University for actions committed off-campus. The University will take student conduct action against a student for such an off-campus offense when the nature of the offense is such that in the judgment of the Vice President for Student Services and/or his/her designee, the continued presence of the student on campus is likely to interfere with the educational process or the orderly operation of the University; or the continued presence of the student on campus is likely to endanger the health, safety, or welfare of the University community, or is intimidating or threatening to another individual within the University community; or the offense committed by the student is of such a serious nature as to adversely affect the student's suitability as a member of the University community. Off-campus conduct may also prevent students from entering into or continuing in academic programs when their demonstrated conduct is contrary to professional and academic department values. The action of the University with respect to any such off-campus conduct shall be taken independently of any off-campus authority. The prospect of criminal charges does not preclude the possibility of a University student conduct hearing

ADDITIONAL POLICIES & REGULATIONS

ALCOHOL & ILLICIT DRUG POLICY

1.0 Introduction

Wheeling Jesuit University strives to maintain an environment that promotes the health and safety of the community and the responsible choices and behaviors of its members concerning the use of alcohol. The University recognizes that the consumption of alcohol in moderation by persons of legal drinking age can be a component of the social environment at the University. Therefore, students of legal drinking age are granted the privilege of responsible alcohol use on campus. The University strives to maintain an environment free of illicit drug use. Participation in behaviors related to use, distribution or possession of illicit drugs is not condoned within the campus community.

The University has adopted policies and standards to promote healthy and legal use of alcohol and the prevention of illicit drug use. Such policies are only one part of the University's efforts to encourage responsible choices and behavior; employees and students have shared responsibility for preventing alcohol abuse and illegal alcohol and illicit drug use at university affiliated events both on campus and off while assuring compliance with the Drug-Free Schools regulations.

1.1 Definitions

- **Alcohol:** ethyl alcohol whatever its origin; includes synthetic ethyl alcohol but not denatured alcohol
- **Beer:** any beverage obtained by the fermentation of barley, malt, hops, or any other similar product or substitute, and containing more alcohol than that of non-intoxicating beer.
- **Liquor/Distilled Spirits** – An alcoholic drink that is produced by the distillation of grains, fruits or vegetables that have already gone through alcoholic fermentation.
- **Fortified Beverage** – A drink to which liquor has been added.
- **Malt Liquor** - Beer with high alcohol content. An example is Four Loko.
- **Illicit Drugs:** any substance that alters the mind in a psychoactive way and is illegal in the eyes of the law and punishable with criminal justice; includes but is not limited to marijuana/hashish, cocaine (including crack), heroin, hallucinogens, inhalants, or prescription-type psychotherapeutics used non-medically.
- **Intoxication:** having one's faculties impaired by alcohol or other drugs to the point where physical or mental control or both are markedly diminished.
- **Manufacture:** to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle, or fill an original package with any alcoholic liquor.
- **Open Container:** Containers in which the original seal has been broken or containers that are not able to be permanently sealed.

- **Sale:** any transfer, exchange or barter in any manner or by any means, for a consideration, and shall include all sales made by principal, proprietor, agent or employee.
- **Selling:** includes solicitation or receipt of orders; possession for sale; and possession with intent to sell.
- **Public Area:** any place, building or conveyance on campus to which the public and/or members of the Wheeling Jesuit University community have, or are permitted to have access, including lobbies, and corridors of residence halls and on campus streets and walkways; does not include places of residence for students assigned to said residence.
- **University Break Period:** anytime outside of the fall and spring academic semesters in which University housing is officially closed, including Thanksgiving Break, Semester Break, Spring Break, Easter Break, throughout summer housing (between the spring and fall semesters) and in the few weeks and/or days before the start of the fall semester and the end of the spring semester in which some students are allowed to move into campus housing early or to move out of campus housing later than normal.

This policy implements the [Drug Free Schools and Communities Act \(20 U.S.C. 1145g\)](#).

2.0 Purpose

The risks associated with the use of illicit drugs and the abuse of alcohol are numerous and include physical and mental impairment, emotional and psychological deterioration and devastating effects on family and friends. There are obvious risks such as suffering a hangover, being charged with driving under the influence or while intoxicated, and sustaining or causing personal injury. There are a number of less obvious risks associated with alcohol and other drug abuse that students might not realize, including:

- Poor academic performance
- Poor job performance
- Poor social interactions
- Unwanted and inappropriate sexual activity
- Sexually transmitted diseases, including HIV/AIDS
- Pregnancy
- Jeopardizing future career prospects, (e.g., admission to law school and employment with the federal government)

In addition, alcohol and illicit drug abuse puts the user at considerable health risk, which can include nausea, vomiting, cancer, liver damage, elevated blood pressure, psychotic episodes, hallucinations and, in some cases, death. In addition to the risk to the abuser of illicit drugs and alcohol are the risks to fellow classmates, the public and to unborn children.

All students, whether on or off campus, must adhere to local and federal laws concerning alcohol use and are expected to conduct themselves in a manner consistent with University expectations. The University will not tolerate the unlawful manufacture and/or illegal purchase, consumption, possession, or distribution of alcohol to or by any student.

Local and federal laws prohibit the unlawful use, manufacture, possession, control, sale and dispensation of illicit drugs. These laws carry penalties for violations, including monetary fines and imprisonment. The unlawful manufacture, distribution, dispensation, possession or use of an illicit drug by a student on University property or as any part of a University-sponsored program on or off campus is strictly prohibited.

Any student who violates the ***Student Code of Conduct*** as it relates to alcohol and illicit drug use is may be subject to University sanctions through the conduct process.

The University cooperates fully with law enforcement authorities. Violations of the Wheeling Jesuit University Alcohol and Illicit Drug Policy and/or the Student Code of Conduct that are also violations of federal and local law may be referred to the appropriate agencies. In such situations, cases may proceed concurrently in the University conduct system and in the criminal justice system.

3.0 Resources

Wheeling Jesuit Counseling Center:

G-23 Ignatius
Hall304- 243-2081

Wheeling Jesuit Health Center:

208 Swint Hall
304-243-2275

Alcoholics Anonymous:

(304)231-5867 or 800-333-5051

Hillcrest Outpatient Services:

Suite 501 Valley Professional Center South
2101 Jacob Street
Wheeling, WV 26003
(304) 234-8517

Crossroads Counseling Services:

255 West Main Street
St. Clairsville, OH 43950
(740) 695-9447

Vice President for Student Services & Mission Identify:

The University's Vice President for Student Services Office is alsoavailable to assist students seeking alcohol and/or other drug rehabilitation services.

201 Swint Hall
304-243-2350

4.0 Penalties

The intent of the following information is to provide knowledge of possible sanctions for citations and/or arrest for illicit drugs and/or alcohol use known to be available; penalties under federal, state, and local laws are separate from University sanctions for on campus conduct proceedings. Students who will seek professional license after graduation should note that some professional licensing agencies could consider alcohol and other drug convictions in determining

licensure.

Current information about West Virginia State Code can be found on the [West Virginia Legislature Website](#).

Alcohol:

Underage purchase of alcohol or misrepresentation of age is subject to a fine up to \$500 and three days in jail or probation. Purchase of alcohol for those underage is subject to a fine up to \$500 and up to 10 days in jail. Public intoxication is subject to a fine up to \$100 and up to 60 days in jail or completion of an alcohol education program or counseling. Driving under the influence of alcohol, or other drugs (includes DUI), depending on circumstances, is subject to incarceration of from 24 hours to 10 years, a fine of \$100 to \$5,000, and license suspension of from six months to life.

Illicit Drugs:

Under state law, conviction for possession of a controlled substance is subject to incarceration for up to six months and a fine up to \$1,000. Sentences can be double for second or subsequent offenses. Manufacture, possession, or delivery with the intent to manufacture or deliver a controlled substance is subject to, depending on the substance classification, up to 15 years imprisonment and/or a \$25,000 fine upon conviction. Sentences can be doubled for subsequent offenses and mandatory prison terms result for convictions involving distribution of controlled substances to minors or within 1,000 feet of the University or other school. Federal sanctions for illegal possession of a controlled substance vary with the conviction, substance possessed, and the quantity of the substance. First conviction is subject to up to one-year imprisonment and a fine of at least \$1,000 but no more than \$100,000 or both. After one prior drug conviction, the penalty is at least 15 days in prison, not to exceed two years and a fine of at least \$2,500 but no more than \$250,000 or both. After two or more prior drug convictions, the penalty is at least ninety days in prison, not to exceed three years, and fined at least \$5,000 but not more than \$250,000 or both. Those convicted of illegal possession of a controlled substance are also subject to denial of federal benefits, such as work-study, student loans, grants, contracts, and to loss of professional licenses and disqualification for a commercial driver's license, for up to one year for the first offense, for life for the second offense.

5.0 Alcohol Amnesty

Student health and safety are of primary concern at Wheeling Jesuit University. As such, in cases of intoxication, alcohol poisoning, or drug-related medical emergencies, Wheeling Jesuit University always encourages individuals to seek medical assistance for themselves or others.

Students who seek medical attention for themselves related to the use of drugs or alcohol will not be formally charged with a violation of the Wheeling Jesuit University Code of Conduct related to that use, provided that the student subsequently completes an assessment and any other recommended treatment from the Vice President for Student Services & Mission Identity and/or his/her designee. Failure to complete such assessment may result in additional sanctions being applied.

Students who seek medical attention for someone else related to the use of drugs or alcohol will

not be charged with a violation of the Wheeling Jesuit University Code of Conduct related to that use.

Students who initiate reports of alleged sexual misconduct will not be formally charged with a violation of the Wheeling Jesuit University Code of Conduct related to alcohol and/or other drug use.

The Alcohol Amnesty policy does not excuse or protect students who repeatedly violate the University's Student Code of Conduct, in which case the University reserves the right to take conduct action on a case by case basis regardless of the manner in which the incident was reported. Additionally, the University reserves the right to adjudicate any case in which the violations are flagrant violations of the Student Code of Conduct and put the University community at risk. The University continues to reserve the right to notify parents as per the Parental Notification policy.

6.0 Use of Breathalyzers & Alcohol Overuse Procedures

The University reserves the right to ask that students suspected of excessive alcohol use cooperate with the use of breathalyzers to assist University personnel in making sound decisions to ensure the safety and well-being of the student in question. Students refusing to cooperate and/or who refuse off-campus medical treatment when determined necessary by the University, are subject to immediate Interim University Suspension.

Per University procedure, if a student (of age or underage) registers a .20 or above when administered a breathalyzer test, alcohol overuse procedures will automatically be put into effect. Emergency medical personnel will be called to that location and the student will be requested to go to the hospital for further examination/care. The University cannot be responsible for a student that is at that level of intoxication. Students that refuse medical attention and transportation to the hospital will be suspended from the University on an interim basis and will either need to have a parent/guardian pick them up or stay off campus at a location approved by their parent/guardian. The student will be permitted back on campus after meeting with the Director of Residence Life or his/her designee or the Vice President for Student Services or his/her designee.

Students not of legal drinking age can request the use of a breathalyzer to prove that they have not consumed alcohol; every effort will be made to honor such requests. It is the responsibility of students to be aware of University policies, and by not requesting use of a breathalyzer, students may be held responsible for violating the University alcohol policy. If a student does request a breathalyzer and a positive test result for the consumption of alcohol occurs, the student will be charged with additional policy violations.

7.0 Alcohol Usage Guidelines

Wheeling Jesuit University strives to promote legal, informed and healthy choices about the use of alcohol and drugs on and off-campus by all members of the community. Wheeling Jesuit University is subject to the same local and state laws that govern all citizens, including those

concerning the possession, use, sale and distribution of alcohol; acts that violate these laws are in direct conflict with University regulations. Suspected student violations of the University Alcohol and Illicit Drugs Policy are processed through the student conduct system under the direction of the Vice President for Student Services and/or his/her designee and will be subject to sanctions up to and including dismissal from the University.

Student Code of Conduct - "I. Violation of the Alcohol Policy"

- I.a) EMPTY CONTAINER:** Possession of containers that previously contained alcoholic beverages. Empty containers will be considered an open container and deemed as proof of consumption and a violation of the alcohol policy. The policy applies to all students, regardless of age. Empty alcohol containers cannot be used as decorations.
- I.b) COMMON SOURCE:** Possession of common source containers, whether full or empty, of alcohol such as kegs, beer balls, or boxed wine.
- I.c) DRINKING GAMES:** Participation in and/or being in the presence of drinking games or activities that encourage rapid consumption of alcohol. Tables deemed to be used for beer pong or other rapid consumption “games” can be confiscated by Residence Life or Public Safety staff.
- I.d) UNDERAGE POSSESSION:** Possession of alcoholic beverages by persons under 21 years of age.
- I.e) CONSUMPTION:** Consumption of alcoholic beverages, including:
- a) **UNDERAGE CONSUMPTION:** Consumption of alcoholic beverages by persons under 21 years of age;
 - b) **PUBLIC CONSUMPTION:** Consumption of alcoholic beverages or possession of an open container by anyone - including persons 21 years of age or older - in any public area, unless it is an official University approved event that has gained permission to consume and/or distribute alcohol. This includes but is not limited to: public space within a residence hall, academic buildings, athletic venues/buildings, tailgating, creek-bed events, and Ignatius Rock.
- I.f) INTOXICATION:** Intoxication by any person, regardless of age. Social drinking must never be undertaken to the detriment of, or in violation of, the rights of others. As such, students are reminded that it is their responsibility to be sober at all times. The University will not tolerate public drunkenness since intoxicated students act in a manner inconsistent with the values of the University, pose a threat to themselves, and can make life unpleasant for those with whom they live. Any student found in an intoxicated condition will be subject to appropriate sanctions. Determination as to whether or not a student is intoxicated may be made on the basis of use of a breathalyzer and/or the following factors including, but not limited to whether a student is:
- unable to walk without assistance
 - speaking incoherently
 - unconscious
 - vomiting

- emitting a strong odor of alcohol
- behaving in a loud and/or disorderly manner

- I.g) SALE/DISTRIBUTION:** Sale, distribution, or provision or attempts to sell, distribute or provide alcoholic beverages to or by anyone under 21 years of age.
- I.h) POSSESSION OR CONSUMPTION WITH UNDERAGE STUDENT:** Possession or consumption of alcoholic beverages in a student room in which at least one assigned resident is under 21 years of age and/or persons under the age of 21 are present.
- Students of legal drinking age should seek assistance from the Office of Residence Life if it is important to them to request a room change that would make alcohol use permissible in their room.
- I.i) TRANSPORTATION:**
- Students, regardless of age, are not permitted to bring alcohol into residence rooms in which they are visiting. Only residents assigned to a room may provide alcohol to other persons in their assigned room, in accord with the University Alcohol Policy.
- I.j) MAXIMUM QUANTITY:** Possessing more than the permissible maximum amount of alcohol allowed per 21 year old resident per room.
- One 12-pack of beer OR one Liter of wine per 21 year old assigned resident is allowed. No more than the equivalent of one case (defined as 24-30 12 ounce bottles/cans of beer) or two Liters of non-fortified wine per residence hall room where both assigned occupants are at least 21 years of age. **Distilled spirits (i.e. liquor), fortified beverages (e.g. Mad Dog, Port wine), and certain malt liquors (e.g. Four Loko) are not permitted in the residence halls.** Additional restrictions on the amount of alcohol allowed in a residence hall room may be applied at the discretion of the University. Visitors, regardless of age, may not bring alcohol into a room in which they do not reside.

- I.k) BREAK PERIODS/SUMMER:** Possession and/or use of alcohol in University residences during University Break Periods is not permitted.
- Alcohol use and/or possession of any kind is not permitted in University housing outside of the regular academic semesters when housing is officially "closed" for the regular, undergraduate terms; such times include Thanksgiving Break, Winter Break, Spring Break, Easter Break, during summer housing, and in the few days/weeks either just before fall housing opens or after spring housing closes but students have permission to be in housing. A zero tolerance policy for alcohol use is in place during these times. Students unable to abide by this policy should seek alternative housing arrangements off-campus; violators may be subject to immediate housing suspension.
- I.l) RATT:** Violation of the Alcohol Policy in the Rathskeller (RATT). Any violation of this policy may result in immediate Rathskeller suspension of visitation or attendance to events until the conduct incident is resolved. This area is managed by Parkhurst Dining Services.
- I.m) SPONSORED EVENTS:** Violation of the Alcohol Policy at a University Sponsored Event.

9.0 Drug Usage Guidelines

The use, possession, and/or distribution of illicit drugs and/or drug paraphernalia of any kind is prohibited on campus. Wheeling Jesuit University does not permit marijuana for any purpose; students who qualify under local law to use marijuana for medical purposes may not possess, store, use or share marijuana on University owned or controlled property or during University sponsored events.

Student Code of Conduct - "L. Violation of the Illicit Drug Policy":

L. Possession, use or delivery or coordinating the delivery of illicit drugs, as defined by the Alcohol & Illicit Drug Policy

- L.a) PARAPHERNALIA:** Possession/use of paraphernalia including any item typically used to inhale/ingest/inject/mask drugs, regardless of whether the item has been used for illegal purposes.
- L.b) POSSESSION:** Possession of drugs.
- L.c) USE:** Use of drugs.
- L.d) PRESCRIPTIONS:** Misuse, abuse, and/or sale of prescription drugs.
- L.e) DISTRIBUTION:** Distribution (any form of exchange, gift, transfer or sale) of drugs.
- L.f) COCONSPIRATOR/AIDING:** Serving as a co-conspirator in drug related activity on campus; includes aiding in and/or knowingly endorsing acts of distribution.

RESIDENCE LIFE & RESIDENCE HALL POLICIES

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Residence Life:

On-campus living provides a balance of challenge and support, allowing residents to learn about themselves and others while taking responsibility for themselves and their development.

[Residence hall living](#) provides opportunities for personal growth and development. The Residence Life Staff strives to create an environment encouraging academic excellence, social competence, independence, and a sense of community life.

RESIDENCE LIFE STAFF:

The **Director of Residence Life** coordinates and supervises all residence halls, staff members, and Residence Life processes including room assignments, residence hall programming, and facility management.

Each **Area Coordinator (AC)** is responsible for the coordination, supervision, and implementation of operations in their assigned residence hall area.

Resident Assistants (RAs): Resident Assistants are upper-class student para-professionals who assist students in their growth and development. The RA serves as a role model, peer mentor, educator, information provider, and supervisor to the residents of their building.

Residence Life staff contributes to the development of residents through the creation of diverse and positive living environments. Responsible student behavior is at the heart of our Residence Life program. Residents are expected to respect the property and rights of all residents, ensuring responsible behavior and mutual respect. It is important to note that the Department of Residence Life holds a resident's right to sleep and study as the most important consideration when addressing policy violations and conflicts.

GENERAL PROVISIONS FOR STUDENT OCCUPANCY:

1) *Residency Requirement & Request to Live Off-Campus:*

Wheeling Jesuit requires full-time undergraduate students to live in campus housing. If a student desires to reside off campus, they must complete the [Off Campus Housing Request Form](#). The Off Campus Housing Request Form provides the student the ability to request to reside off campus and receive a waiver of the Housing Fee for the following reasons:

- A student is married.
- A student is a single parent with custody of a child (or children).

- A student has documented medical circumstances that cannot be accommodated on campus.
- The student is commuting from home (living at the home of a parent or legal guardian) and lives within a 35-mile driving distance of Wheeling Jesuit University's campus.
- A student is participating in the Fr. Clifford M. Lewis Scholars Program. Student-athletes are not eligible for this program and participating in this program disqualifies a student from receiving Institutional Aid.
- A student is twenty-two (22) years of age or older. Student must be twenty-two (22) prior to the beginning of the semester requesting to live off campus.

Housing Fee: If a student does not qualify for one of the above waivers and the student still wishes to live off campus, the student will be assessed a Housing Fee consistent with all other students living on campus. Accepting this option means that the equivalent cost of a double room and full board plan will be added to a student's University bill and the student will be assigned an on-campus room/full board plan, regardless of whether the on-campus room is occupied by the student. Students accepting this option are encouraged to visit the Financial Aid Office and Student Accounts Office to understand how this will impact them financially.

The Off-Campus Housing Request Form can be obtained from the Office of Residence Life or on the Residence Life portion of the University's website - <http://wju.edu/student-services/residence-life/default.html>. Completed forms for each semester must be completed and returned to the Office of Residence Life prior to the first day of classes. If a request for waiver of the Housing Fee is approved, it is the student's responsibility to ensure a current address is on file in records managed by the Registrar's Office.

If, at any time, information reported on the form is found to be inaccurate or falsified, a student will be automatically billed the appropriate Housing Fee for that semester as well as any previous semesters when false information was provided.

Off Campus Request Appeals Committee: If a student would like to appeal to live off campus and not be assessed the housing fee, this can be done by submitting an appeal to the Director of Residence Life. The Director of Residence Life will then assemble the Off Campus Request Appeals Committee. This committee is comprised of members of Student Services, Financial Aid, and the Business Office. Students submitting appeals to this committee should allow two (2) weeks for a decision to be returned.

2) *Board/Meal Plans:*

All students who live in the residence halls are required to purchase a residential student meal plan. Meal plans are for use by the owner, and may not be sold or given to others.

Students with special dietary needs should contact the Manager of Dining Services to discuss their dietary needs; most dietary needs can be accommodated by the food service team. It is the student's responsibility to seek accommodations and to cooperate with the food service team to seek the best resolution to their needs. Costs associated with the University meal plan will not be refunded due to lack of use by the student. In rare cases, students with dietary needs stemming from medical necessity may be offered an exemption from mandatory enrollment in a meal plan; such requests will start with the Disability Services Office and may require endorsement from Health Services and the Dining Services in order to be approved. Meal Plan information is available in the Office of Residence

Life or Parkhurst Dining Services (<http://www.wju.edu/foodservice/>). If applicable, board plans may be changed during the first week of each semester. All First-Year Students (not including transfer students) are required to select and utilize the 225 block meal plan for their first academic year at Wheeling Jesuit University.

Students have five (5) guest meal passes per semester. These guests passes are in addition to a student's assigned board plan.

Undergraduate residents of Steenrod Hall have the option of selecting a reduced meal plan due to the private kitchens located in these apartments.

Individuals who are required to have academic commitments off-campus which would impede them from utilizing a full meal plan may request a reduced meal plan from the Office of Residence Life. Confirmation of off-campus requirements from the sponsoring faculty member is also required.

3) Cable Services:

The University contracts with Comcast to provide high speed internet and cable TV services to all residence hall rooms; access to these services is part of the Housing Contract. Each room is provided with Comcast equipment (modem, cable box, and remote control). This equipment needs to be returned upon move-out; failure to do so will result in check-out fines. Questions about cable services should be referred directly to Comcast at: 855-638-2855.

4) Laundry:

Washers and dryers are located in each residence hall. Students are responsible for their own laundry, including bed linens and towels. Laundry left within the washers or dryers for over 24 hours may be donated to charity and no refund will be provided. Mechanical failure of laundry equipment should be reported to the Office of Residence Life. During the academic year, laundry service is provided as a part of the housing contract; laundry service is not guaranteed to residents in summer housing. Guests and non-residents are not permitted to use laundry facilities.

5) Lounges:

Twenty-four (24) hour co-educational lounges are available in most residence halls. Study lounges, available in most buildings, are designed for use by resident students. All lounges follow Quiet and Courtesy Hour policies.

6) Entrance to Student Rooms

- I. **ENTRY AND SEARCH:** If there is reason to believe a policy violation is taking place in a room and/or a student's safety may be in jeopardy, a student's room and/or personal belongings may be searched by University officials, including Residence Life staff and/or Public Safety staff. The University also reserves the right to enter student rooms for maintenance, housekeeping, suspected policy violations and Health and Safety inspections as deemed necessary. Whenever possible, notice of

intent to enter a room will be given to a resident in advance; given daily university processes, it should be understood that such notification may not be possible.

II. ENTRY AND SEARCH PROCEDURE: Whenever possible, entry will be made by at least two people, a professional member of the Residence Life staff or the Director of Public Safety and/or his/her designee (which may include student paraprofessional staff). When student safety is deemed to be in serious jeopardy it is possible a University Official will enter a room alone.

- If reasonable suspicion of a violation exists due to behavior or evidence that is in plain view, or can be plainly heard or otherwise detected, the University Official may open/unlock a door and enter the room without delay.
- The University Official may open/unlock a door without delay if there is reasonable cause to believe a delay would endanger the health and/or safety of the student or impede the student conduct process.
- If the occupant is present, he/she may stay for the search. If the occupant(s) of the room is/are not present and a search of the room is deemed necessary to ensure that University policies, rules and expectations, are being upheld, the search will be conducted by at least two individuals, one being a professional staff member. The search will be conducted in a private and unobtrusive manner. The University Official will note the name(s) of all individuals who are assigned to that room as responsible for any materials that constitute evidence of a violation. Room inspections may occur during Health and Safety Inspections without resident(s) present.
- The University Official may immediately seize and remove any or all material, which, by its presence, constitutes evidence that a violation of University policy has occurred. Such removal does not require express permission on the part of the room occupant(s). The University reserves the right to confiscate, retain, and dispose of any and all illegal, dangerous, or prohibited items, regardless of value or ownership.

III. HEALTH AND SAFETY INSPECTIONS: Health and Safety inspections will be conducted by the Residence Life staff on a regular basis in each residence hall, at a time posted at least 48 hours in advance. Inspections are to ensure residents are maintaining safe furniture placement and equipment in accordance with fire code and that the room is a clean and healthy environment. Other violations found during Health and Safety Inspections will be addressed in an appropriate manner (i.e. through the student conduct process). Residents have 24 hours to rectify certain health and safety concerns discovered and communicated to residents by Residence Life Staff. Repeat health and safety violations may result in conduct sanction. Room inspections may occur during Health and Safety Inspections without resident(s)

present; when applicable, room search procedures may be implemented if a policy violation is suspected/visible.

- IV. **EMERGENCIES:** Rooms may be entered without authorization in the event of an emergency (i.e., a situation in which a person's health or well-being is threatened and/or personal or university property is thought to be in immediate danger).

Period of Occupancy:

- a. Students are not permitted to move into the residence halls prior to their assigned date/time as determined by the University. Students may request permission to move-in early or stay in the residence halls later through a request to the Office of Residence Life. Permission may be granted on a limited basis. Students granted early arrival/extended stay may also be subject to additional fees to their University Student Account.
- b. Athletes who participate in the Fall and/or the Spring sports may be required to arrive prior to the opening of the residence halls. These dates are pre-determined and it is the responsibility of individual coaches to provide necessary information to the Office of Residence Life regarding student-athlete arrivals or extended stays.
- c. All residence halls are closed during official University holiday periods (e.g. Thanksgiving Break, Semester/Winter Break, Spring Break, Easter Break); room costs do not include housing during these periods. Students who need housing accommodations during this time are encouraged to seek housing with friends or off campus alternatives. Rare exceptions are made for international students and students from distance who are unable to travel home during a break period and students who are staying for official University reasons/sponsored by a University office. Students may not stay due to: off-campus work, do not want to go home or do not have a ride home. Students are responsible for notifying the Office of Residence Life to request permission to remain in housing while the halls are officially closed; requesting permission to stay does not guarantee approval. Students are to vacate the premises within 24 hours after completion of their last scheduled examination during final examination week (both Fall and Spring semester) or by the official closing time and date of the residence hall, whichever is earliest.
- d. During the times that the residence halls are closed for break periods, entry by residents who do not have permission to be in housing during a break period is prohibited. If emergency access is necessary during office hours, students must contact Public Safety at 304 243-2486 and the Public Safety Office will contact a residence life staff member for approval. During times when the residence halls are officially closed, guests are not permitted. This includes residents who have checked out at the close of each semester.

Residence Hall Policies:

- J.a. ACTIVITIES (HALL SPORTS):** For reasons of safety and maintaining courtesy hours within the residence halls, sports and other related activities are not permitted to be played anywhere within any residence hall (this includes personal residence hall rooms). This includes but is not limited to hockey, skateboarding, soccer, Frisbee throwing, water fights, snowball fights, bouncing balls, running, weight lifting and the use of other exercise equipment (outside of the designated fitness areas). Students are also not permitted to use hover boards within the residence halls.
- J.b. APPLIANCES:** Wheeling Jesuit University prohibits the use of electrical appliances that contain exposed heating elements in residence halls.
- a.** These prohibited items may include, but are not limited to: electrical hot plates, space heaters, slow cookers (crock pots), electric frying pans, George Foreman grills, deep fat fryers, halogen lamps, UL approved extension cords, some popcorn makers, and coffeepots with an exposed burner/hot plate. Single serving coffee makers (i.e. Keurig's) are permitted. Residents are advised to check with the Office of Residence Life if they are not sure if an appliance is approved.
 - b.** Only two portable refrigerators, with a maximum 4.5 cubic feet capacity (1.7 capacity is recommended), are permitted in each residence hall room. To practice good stewardship and power conservation, it is strongly recommended that one refrigerator be shared by roommates whenever possible.
 - c.** Large appliances, portable air conditioning units and electric amplifiers for musical instruments are not permitted in the halls.
- J.c. BICYCLES:** Residents may store bikes in their rooms, but may not ride bikes in the halls. Bicycles may not be stored in public hallways or stairwells. Permission to temporarily store a bicycle in a lounge must be obtained from the Area Coordinator of the building.
- J.d. CANDLES/INCENSE:** Candles (with or without wicks) and incense are prohibited in the residence halls.
- J.e. CARDINAL CARD ACCESS (RESIDENCE HALLS):** Residents will have 24 hour ID card access to their own residence hall. It is each resident's responsibility to ensure that they do not allow non-residents and/or persons who are not their guests, access to their residence hall; doing so is a violation of campus policy and such students will be subject to conduct action.
- a. PROPPING/POPPING:** Students found responsible for jeopardizing the security of a living area by circumventing security systems (such as forcing open locked doors or propping doors open) are subject to conduct action, including but not limited to full cost of repair to the security system.
Residence

Life staff and/or Public Safety staff are available to help a student gain access to their residence hall building and/or room when the resident may not have their Cardinal Card/keys with them.

- b. Residents should immediately call the Office of Public Safety (304-243-2486) to report any suspicious behaviors and/or persons asking to be let into a residence hall without a proper escort by a resident of the hall.
- d. ID card access to the ground floor of Ignatius Hall is provided to students so they may take advantage of offices and services located in Ignatius Hall; such access does not allow non-Ignatius residents access to the residential floors of Ignatius Hall.

J.f. CARE OF ROOMS: Students are responsible for the cleanliness and care of their rooms. Each student will be accountable for any deterioration/damage of the room or its contents beyond normal wear and tear, and will be charged for such damages. Housekeeping will regularly clean and remove trash from public bathrooms and public areas. Students that have private restrooms are expected to clean and remove trash from these areas

J.g. CEILING COVERINGS/WINDOW CURTAINS: Due to fire code concerns, ceilings in residential rooms are not allowed to be covered in any way. Window curtains/coverings are also not permitted.

J.h. CLASS ATTENDANCE/ENROLLMENT POLICY: A student must be registered for 12 credit hours per semester to be enrolled as a full-time residential student. Only full-time students can live in campus housing. Part-time students must seek special approval to reside in campus housing.

- a. Any residential student who withdraws, takes a leave of absence, whose academic course load is reduced to less than 12 credit hours through dropping, withdrawing, or earning final grades of FA in one or more classes, is no longer considered a full-time student.
- b. Once a student officially withdraws from the University or falls below 12 credit hours (including credit request denial), they will have 48 hours to vacate the residence halls from the date of the change in registration or risk being charged with trespassing.
- c. In extenuating circumstances, students enrolled in less than 12 credit hours may be approved to maintain campus residency by the Director of Residence Life.
- d. Students considering to adjust their course load in such a way as to fall below full-time status and who are not able to move out of housing and commute

from home should speak with the Director of Residence Life prior to making such changes.

- e. If belongings remain behind, the University reserves the right to dispose of them as deemed appropriate without contacting the owner. When possible, the Office of Residence Life will donate such items to local charitable organizations.
 - f. Residential students may be monitored to assure that they are in strict compliance within the Class Attendance Policy. Students out of compliance may be removed from housing, with no entitlement to refund of any housing charges.
- J.i. COHABITATION:** Cohabitation is defined as the consistent presence of a guest who spends an extended period of time in a student's residence hall room. Visitors found to be a consistent presence, regardless of time of day, in a room not their own, will be considered to be engaged in cohabitation, and the host and student(s) involved will be subject to conduct review through the Student Conduct process. (See also Visitation)
- J.j. CONSOLIDATION:** The Office of Residence Life reserves the right to consolidate rooms, or to change a student's room assignment when necessary; room charges will be adjusted accordingly when students refuse to consolidate rooms and the refusing student may be charged for the cost of a single room.
- J.k. COURTESY AND QUIET HOURS:** The primary goal of the University is to facilitate and promote the academic mission; therefore, a 24-hour courtesy policy is in effect for all University Residence Halls. Students are encouraged to help others in their communities determine the appropriate level of sound from any room during this time. Residents of any room who are approached for disturbing the community will be required to make corrections immediately, regardless of time of day.

All students in University owned housing must adhere to the following "Quiet Hours":

- a. 10:00 PM to 8:00 AM Sunday evening through Friday morning (or during evenings proceeding class days)
 - b. 12:00 AM to 10:00 AM Saturday morning through Sunday morning (or during evenings not proceeding class days)
 - c. 24-hr Quiet Hours start at 5:00 PM the day before exams until 5:00 PM the last day of exams. During ALL Quiet Hours it is expected that noise be confined to individual living units (Residence Hall rooms and apartments.) The noise in a room should not disturb neighbors sharing common walls.
- J.l. DAMAGE:** Students are financially responsible for their individual rooms and for the common areas of the residence halls. Charges will be assessed to a student's account if/when damage occurs in a private room or in a common area (e.g. hallway,

bathroom, lounge) for damage beyond normal wear and tear or when the responsible individual(s) cannot be determined.

- a. **ROOM CONDITION REPORT (RCR):** Each resident and Residence Life Staff members will complete and sign a Room Condition Report to document damages within a residence hall room/apartment.
 - i. **Initial Room Audit:** At the start of the academic year, the residence life staff completes an inventory of the room's condition and items present. This audit will be documented on the Room Condition Report. The residents are then responsible for verifying the accuracy of this audit.
 - ii. **Closing Room Audit:** Residence Life Staff members and/or Physical Plant staff members will check the condition of the room after the student has vacated the room. When vacating the room, the form will be reviewed. Any previously undocumented damages and/or missing furniture, fixtures damages and missing furniture/fixtures will be charged to the occupants. The process is complete when the residence life staff member makes a final inspection of the room and charges are jointly assessed by the Offices of Residence Life and Physical Plant.
 - iii. **RCR Completion:** It is the responsibility of the resident to formally check out of their rooms ANY and EVERY time they vacate a room (i.e. as part of approved room changes, at the end the year, etc.). Failure to do so may result in additional charges.
- b. **INDIVIDUAL DAMAGE CHARGES:** The cost of damages that occur within a residential room. This is determined by comparing the initial room audit and closing room audit. Any damages that occur during the resident's stay will be assessed to their student account.
- c. **COMMUNITY DAMAGE CHARGES:** The cost of damages that occur within common areas for which individuals have not been found responsible will be divided amongst all residents within the residence hall or floor where the damage occurred. These community damage charges are not appealable. The cost of replacement or repair will be assessed evenly among students on that floor or residence hall. Students with information about others who may be the cause of community damages should report this information to residence life. Every attempt will be made to hold accountable the responsible person(s) to avoid community damage charges; this requires cooperation from students with information helpful in the investigation process.
- d. **UNCLAIMED ITEMS:** Students vacating assigned rooms lose the right to personal items left behind and will be charged a disposal fee. If appropriate, such items may be donated to local charitable organizations.

- e. **KEY RETURN:** Keys must be returned to Residence Life staff upon leaving the University or within 24 hours of vacating the room. If keys are not returned, the student's account will be billed for a lock change.
- f. **DAMAGE APPEALS:** Any contested charges may be reviewed through an appeals process (see the Office of Residence Life for details).
- g. **DAMAGE REPAIRS:** All requests for repairs should be given to the Resident Assistant unless the repair is an emergency. In an emergency and/or after hours, contact the Office of Residence Life or the building's duty phone number.
- h. **DECORATIONS:** Residents are responsible for any DAMAGE caused to the room in which decorations may cause.
 - i. Nails, thumbtacks, tape of any kind, stickers, decals, and any other devices which damage paint or wood surfaces are not permitted.
 - ii. Posters and other decorations may be hung on the walls as long as damage to the surface does not result.
 - iii. Any partition or hanging materials deemed a fire hazard is strictly prohibited; this includes ceiling coverings and items that block egress from a residence hall room (i.e. flags or items covering windows).
 - iv. Posting materials on the outside of room doors in hallways, or in windows for public view with the intent to harm or provoke others is prohibited.
 - v. All material posted in public areas is considered a public display and must be deemed appropriate by Residence Life Staff. This includes materials that are not in keeping with Wheeling Jesuit University's mission and identity.
 - vi. Live trees are not permitted as room decoration as they are a fire hazard..
- J.m. **DISGUISES/MASKS** – Masks or facial coverings of any type that serve as a disguise, including full or partial painting of the face, are inappropriate on campus – except at University sporting events. For security reasons, University personnel must be able to identify you. Anyone who is in violation of this policy will be subject to student code of conduct disciplinary procedures.
- J.n. **FIRE REGULATIONS:** Residents should be familiar with their residence hall and aware of the nearest exit and alternate exits. Failure to evacuate a residence hall during a fire alarm or re-entering a residence hall before being permitted by a University official, member of the fire department or a Public Safety Officer is prohibited. Interference with or not adhering to emergency evacuation procedures in a residence hall is prohibited.
- J.o. **FIRE EQUIPMENT- TAMPERING:** Tampering with fire prevention equipment is expressly forbidden. If such actions cannot be attributed to an individual(s), those living in the residential area will each be charged a communal damage fine for the cost of repairs and/or replacement of the equipment.

J.p. FIRE EQUIPMENT- DELIBERATE ALARM: Deliberate false alarms that cannot be attributed to a particular individual(s) may result in a minimal fine up to \$100 to each resident of the section and the cost of repairs and replacement of the equipment. Failure to exit a building during an alarm (false or otherwise) will result in student conduct action

- J.q. FLOOR MEETINGS:** Throughout the year, floor or building meetings may be called. All students should attend all scheduled meetings. Students who miss floor meetings are responsible for obtaining the information that they missed by contacting their Resident Assistant or Area Coordinator directly.
- J.r. FURNITURE (PERSONAL OR UNIVERSITY PROVIDED):** Residents may not bring personal furniture such as couches, chairs, bookcases, etc. without explicit approval from the Office of Residence Life. Waterbeds are not permitted. The Director of Residence Life or his/her designee, may prohibit any personal furnishings considered too large or potentially dangerous (fire hazard etc.) for any residence hall room. University provided furniture cannot be removed from the room in any circumstance unless approved by the Office of Residence Life Professional Staff (Director/Area Coordinators).
- J.s. KEYS:** Keys to residence halls and any other University facilities are the property of Wheeling Jesuit University.
- a. Loaned:** Keys may not be loaned to anyone under any circumstances and are not to be reproduced. Due to security concerns, giving keys to unauthorized people and/or reproducing keys will result in a fine and may result in University and/or Housing Suspension or Expulsion.
 - b. Report Lost:** Report lost keys immediately to the Office of Residence Life. A lost key will require the replacement of the keys, changing the core and changing the cylinder for the locks involved. The student will be charged for these lost residence hall keys or a lost key to any other university facility. If a key is lost, the resident must notify the Office of Residence Life within 48 hours.
 - c. Key Return:** Failure to return keys when a student checks out of the residence hall and before leaving campus will result in fines and replacement costs.
 - d. Unauthorized Use:** Use of any University keys to enter unauthorized areas is a conduct violation and may result in disciplinary action.
- J.t. KITCHENS - USE OF & COOKING:** Cooking is only permitted in the designated kitchens in the residence halls where available. For reasons of fire

safety, no cooking/grilling, etc. is permitted in student rooms, hallways, or balconies/rooftops, etc.

- a. Students who are cooking in the designated kitchens are to never leave their cooking food unattended; students who leave their food unmonitored may lose cooking privileges.
 - b. Students are responsible to clean any mess made while cooking. While using the microwave, students should never place foil or metal in the microwave. While using the stove, students should turn on the exhaust fan when starting to cook, and off once completed.
 - c. After cooking is completed, ensure the stove/oven is turned off before leaving the room.
 - d. Students should also use a limited amount of cooking oil while cooking - no more than a $\frac{1}{2}$ cup per meal is recommended to limit oil residue left in the cooking area and students cooking with oils will need to ensure the kitchen is properly cleaned for the next user.
 - e. Kitchen facilities in the residence halls are not adequate for regular, daily use by the same student; this facility is intended for individual periodic shared use by all residents of the building. Likewise, the storage of food in public refrigerators is to be limited to periodic use so ample space is available for other residents; if needed, the Office of Residence Life may place restrictions on the amount of food stored in public refrigerators to ensure access for all students and to keep the refrigerator clean.
- J.u. KNOWINGLY PRESENT** – Being present in a room or residential area during a violation is prohibited. If you are in the presence of a violation, you are encouraged to advise the Residence Life staff, but, at least, are required to remove yourself from the situation.
- J.v. LOCK OUTS:** It is the responsibility of the student to have their room key in their possession at all times. Residence Life staff and Public Safety staff are available to assist students in the event of a lockout, but these staff members are not meant to serve as access providers. After three responses to a lock out, a student will be requested to produce their room key. If a resident cannot produce their key, a lock change will be ordered and the student will be billed the appropriate Lock Change charge. If a resident can produce their key, a \$25.00 Lockout Fee will be charged to the Student's Account for that lock out and an additional \$25.00 will be billed to the Student's Account for each subsequent Lockout.
- J.w. LOFTS:** Self-constructed lofts are not permitted for safety and security purposes without explicit permission from the Office of Residence Life.
- J.x. MAXIMUM OCCUPANCY:** The University recognizes the need for student interaction and the need to build a strong residential community. In the interest of safety however, the University allows only eight (8) people/residents per double occupancy residence hall rooms and four (4) for single occupancy rooms that are smaller in size. These restrictions are set in place per advisement of the local and state fire authorities for purposes of safety in the event of a residence hall fire.

J.y. MOTORIZED VEHICLES: Two and four wheel motorized vehicles (e.g. motorcycles, mopeds, ATVs and dirt bikes) must be parked in University-assigned parking space (between yellow lines) and are not permitted within the residence halls.

J.z. PETS: State and University health and safety regulations prohibit pets-mammals, rodents, reptiles, insects-- in the residence halls, except species of non-carnivorous aquarium fish in a tank no larger than 10 gallons. The only exceptions to this policy are granted by the Director of Disability Services in coordination with the Director of Residence Life.

J.aa. RECEPTION DESKS: Reception desks are located in the entry ways of Campion/McHugh, Sara Tracy/Kirby and Ignatius halls and may be staffed during high traffic times when classes are in session. Visitors to the residence halls may be asked to show a photo ID (students-cardinal card or non-students-driver's license) to the front desk attendant during visits when these desks are staffed. Visitors who refuse to present a photo ID, upon request, may be asked to leave the building, and possibly campus, immediately. It is students' responsibility to ensure they do not violate the Visitation Policy when visiting halls in which they do not reside

- a. If a visitor is present in the building prior to the time when a residence hall front desk area is staffed, the resident must escort their visitor(s) downstairs to have them register with the front desk attendant.

J.ab. ROOM ASSIGNMENTS/SELECTION: The Director of Residence Life and their designee coordinate room assignments:

- a. Each upper-class student may select a roommate during the Room Selection Process each Spring. Students with account holds or outstanding balances will not be permitted to register for housing until these issues are resolved.
- b. Incoming new students may indicate a roommate preference. The Office of Residence Life will grant these requests in so far as they are able.
- c. The Office of Residence Life has the right to assign students to vacant spaces in rooms at any point during the academic year.
- d. Students must be cleared by all University offices before they are permitted to register for and move into housing.

J.ac. ROOM/ROOMMATE CHANGES: Roommate changes are not automatic. During the first two weeks of each semester, room changes will not occur, unless in extenuating circumstance; this will allow Residence Life staff time to identify available space in each residence hall and encourage residents to make an effort to resolve any conflicts. All room changes must be approved by the Director of Residence Life or his/her designee. Students that move without approval may be subject to the Student Conduct process.

- a. Students with roommate conflicts should first discuss the situation with their Resident Assistant and then with the Area Coordinator of the building.

- b. Relocating is only an option after open communication occurs between roommates and when the problem is deemed not resolvable while continuing the roommate relationship.
- c. Students may be asked to participate in mediation or conflict resolution with residence life staff and/or the University counselor.

J.ad. **SINGLE ROOM POLICY:** In general, singles may be assigned/made available:

- a. For documented serious medical reasons as shared with the Office of Residence Life by the Director of Disability Services.
- b. After room consolidation at the beginning of each academic semester.
- c. After room consolidation at the beginning of each academic semester.
- d. As space and availability permit.

Other Situations that may lead to a student having a single room:

- a. Students that are living in a double room without an assigned roommate will participate in the Consolidation Process that begins within the first three (3) weeks of each semester. This process facilitates students without roommates to find roommates. Students that do not attend Consolidation meetings or make any efforts to find a roommate may be billed for a single room, dating back to when they did not a roommate for that particular semester.

J.af. **SMOKING:** Smoking in the residence halls is prohibited. Smoking on campus is restricted to approved areas. See also Smoking Policy - http://www.wju.edu/about/hr/policies/hr_tobacco.asp

J.ag. **SOLICITATION:** Door-to-door sales and distribution of advertisements within the residence halls is prohibited. Residents or registered student organizations may use public and common areas with approval from the Director of Residence Life and/or Director of Student Activities. No door-to-door solicitation is permitted. Residents may not conduct personal and/or commercial business from their rooms without written permission from the Office of Residence; on occasions, residents may be permitted to do so as long as it does not interfere with academic community standards, the mission of the University, and computer usage guidelines.

J.ai. **THEFT:** Report any theft immediately to the Office of Public Safety. The Vice President for Student Services will also be notified. The University does not assume responsibility for personal property kept at the University. **ALL STUDENTS SHOULD:**

- a. Keep room doors and windows locked whenever the room is left unoccupied, even for short periods of time.
- b. Clearly mark all personal items with a personal identification number other

- than your social security number.
- c. Record serial numbers/make of stereo, computers, etc. in a separate, secure location.
 - d. Not keep large amounts of cash or other valuable items (such as expensive jewelry) in a residence hall room.
 - e. Subscribe to private insurance for belongings that may be damaged and/or stolen during students' time in campus housing.
- J.aj. **TRASH:** Disposing of trash in unauthorized areas, including leaving trash in lounges or hallways is prohibited. Students should dispose of large items in dumpsters located near their residence hall.
- J.ak. **VISITATION:** "Visitation" applies to any person who does not live in the hall that they are visiting; such persons may be residents living in other halls or campus visitors/guests who reside off-campus (this includes family members).

Wheeling Jesuit University's Visitation Policy serves these primary goals. The policy secures students' right to live in supportive atmosphere that protects the safety, security, and privacy needs of all the students living in the community. By not permitting guests under the age of 18, the University limits potential exploitation of minors and provides care for the moral development of guests who are minors and of our students. All goals are essential to our University mission of providing opportunities for ongoing development of students' sense of responsibility, conscience and intellect, and to encourage and help students to recognize new experiences as opportunities for further growth.

ALL VISITATION POLICIES ARE GOVERNED BY THE FOLLOWING PRINCIPLES:

- a) During the academic year, Kirby, Sara Tracy, Campion, Steenrod, and McHugh halls are locked at all times; only residential students and authorized employees have card access to these buildings.
- b) During regular office hours, the ground level doors of Ignatius hall can be accessed by students to provide access to campus offices located on Ignatius ground floor. Visitors to these offices do not have authorization to be in the residential areas of Ignatius Hall (floors 2-7) unless they are residents of Ignatius Hall or are properly escorted by a resident of Ignatius Hall.
- c) The rights of a roommate are respected at all times, particularly as noted above. Roommate rights receive higher consideration than the desires of guests since roommates are paying room cost. When roommate conflicts result from the presence of visitors in the room, residents are expected to work with their roommate and residence life staff to find an acceptable resolution to the conflict. If an acceptable resolution cannot be reached, a room change may be an option.
- e) Students who give hall access to non-residents, who are or are not their guests may be held accountable for violating the campus visitation policy for providing unauthorized access that may put into jeopardy the safety and security of the building and its residents.
- f) First-year students residing in first-year residential areas are not permitted to be guests in Ignatius Hall or Steenrod Apartments during the first two (2) weekends that school is in session. Specifically, this means that from 7:00 PM Friday until 10:00 AM Sunday.
- g) Students are responsible for the behavior/actions of their guests at all times; this includes students hosting overnight guests.
- h) All visitors to a residence hall must be escorted by their resident host at all times while inside the residence hall. This includes escorting a guest out of the building and to other rooms within the residence hall.
- i) Residence halls have a main (co-educational) lounge that is open for visitation 24 hours a day. Visitation by guests in all other areas of the residence hall is governed by the Visitation hours outlined below.

VISITATION HOURS:

a. APPLY TO ALL STUDENTS

- i. **On Days Preceding Class Days:** Guests are permitted from 10:00 AM to Midnight
 - ii. **On Days Not Preceding Class Days:** Guests are permitted from 10:00 AM to 2:00 AM
- iv. **Overnight Visitation**
- No opposite-gendered or significant other/partner overnight visitation is permitted
 - Same-gendered overnight visitation is permitted pending the student host and overnight guest completing the Overnight Visitation Form with Residence Life Staff by 11:00 PM the night of staying overnight. Residents are expected to communicate overnight guests with roommates. If overnight guests become an issue between roommates, the Office of Residence Life can impose restrictions on students being permitted to host overnight guests.
 - A student may not serve as a host for more than two (2) overnight guests on the same night.
 - Any one person cannot be an overnight guest for more than two (2) consecutive nights or more than ten (10) nights per semester.

J.al. **VISITATION- MINORS IN THE RESIDENCE HALLS:** Full-time, enrolled students under the age of 18 are able to reside in the University residence halls. These students are expected to follow University visitation policies applicable to all students. No guests under the age of 18 are permitted in the residence halls without explicit permission from Residence Life Professional Staff.

J.am. **VISITATION- FRONT DESK:** Reception desks are located in the hall entryways and may be staffed during high traffic times when classes are in session. Visitors may be asked to show a photo ID (students=cardinal card or non-students=driver's license) with the front desk attendant. Visitors who refuse to present a photo id at the front desk, upon request, may be asked to leave the building, and possibly campus, immediately.

- a. If a visitor is present in the building prior to the time when a residence hall front desk area is staffed, the resident must escort their visitor(s) downstairs to have them register with the front desk attendant.

J.an. **WINDOWS:** Unless in the event of building evacuation for safety and security reasons, at no time are students or guests/visitors to use windows in the residence halls to gain entry into or to exit a residence hall. This activity is considered an unlawful entry into a campus building and is a major breach of campus safety and security procedures. Residents are also not permitted to remove window screens for any reason, except in the case of a necessary emergency exit. All cases will be processed through the Student Conduct system and the student will be charged to replace the screen.

SEXUAL MISCONDUCT POLICY

The Sexual Misconduct Policy and Grievance Procedures can be reviewed by visiting the Title IX portion of the University's website - <http://www.wju.edu/titleix/>

MISSING STUDENT NOTIFICATION POLICY

1.0 PURPOSE

The purpose of this policy is to establish procedures for the University's response to reports of missing students, as required by the Higher Education Opportunity act of 2008. This policy applies to students who reside in campus housing.

2.0 POLICY STATEMENT

A Wheeling Jesuit University residential student is "determined to be missing" when a missing person report investigation concludes that the student has been absent from the University for a period of 24 hours or longer without any known reason. The Director of Public Safety, or designee, in conjunction with the Vice President for Student Services, or designee, will make the official determination of whether a student is deemed missing.

3.0 PROCEDURE FOR DESIGNATION OF CONFIDENTIAL EMERGENCY CONTACT INFORMATION

All residential students have the opportunity annually to identify an individual or individuals to be contacted by the Vice President for Student Services not later than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student. This information is maintained confidentially and will be available only to the Director of Public Safety, Vice President for Student Services and Director of Residence Life. The administration of the University reserves the right to notify the parents of a student if they are reported missing.

For those under the age of 18 and not an emancipated individual, the University is required to notify the emergency contact as well as the custodial parent or guardian no more than 24 hours after the student is determined to be missing.

4.0 PROCEDURE FOR OFFICIAL NOTIFICATION FOR MISSING STUDENTS

- a. Any concerned person who has information that a residential student may be a missing student must notify the Office of Public Safety or Director of

Residence Life as soon as possible so that an official determination may be made about whether or not the student is missing.

- b. The Office of Public Safety and Residence Life Staff will gather all essential information about the residential student from the reporting person and from the student's acquaintances. Appropriate staff will include the Residence Life professional staff member on call, the Director of Residence Life, the Vice President for Student Services & Mission Identity and the Director of Public Safety.
- c. If the above actions are unsuccessful in locating the student in a reasonable time, or it is apparent immediately that the student is a missing person (e.g. witnessed abduction) the student will be determined as a missing student.

At this time the Director of Public Safety or his/her designee will notify the Wheeling Police Department that the University has a missing student. The Vice President for Student Services and/or his/her designee will notify the emergency contact of the missing student and the appropriate officials in administration at the University. In addition, the University reserves the right to notify the parents of a student under the age of 21 if they have been determined to be missing.

5.0 AUTHORIZATION

6.0 ATTACHMENTS

NO RETALIATION POLICY

1.0 POLICY STATEMENT

The University prohibits retaliation for filing a complaint or participating in an investigation or inquiry. No one shall be subject to any form of reprisal, discrimination, adverse treatment, or retaliation because she/he has acted in good faith to report an incident, file a complaint, or participate in an investigation or inquiry.

2.0 AUTHORIZATION

3.0 ATTACHMENTS

PARENTAL NOTIFICATION POLICY

1.0 PURPOSE

Wheeling Jesuit University recognizes the importance of students' parents and families. We understand that parents play a central role in the moral and ethical development of their students; we hope to work with parents as partners in this essential enterprise. We also recognize that students have specific rights and expectations in terms of their privacy and in accord with federal FERPA regulations.

2.0 POLICY STATEMENT

The Vice President for Student Services, or his/her designee, reserves the right in his/her sole and absolute discretion to notify a parent or legal guardian without a student's consent, under the following unique circumstances:

- a. Students under the age of 21 have violated the University Alcohol Policy or Illicit Drug Policy.
- b. The student requires medical attention as a result of the consumption of alcohol and/or illicit drugs.
- c. The student harms or threatens to harm self, other persons, or property. This includes students aged 21 and over who exhibit problematic behavior pertaining to alcohol and/or other drug usage.
- d. The student is taken into custody by law enforcement officials or charged for allegedly violating a municipal or county ordinance, a law of the State of West Virginia, or a law of the United States.
- e. The student faces conduct probation, suspension, or expulsion from University housing, the University, or both.
- f. The student has shown a pattern of behavior or violations indicative of a potential health or safety concern.

The Vice President for Student Services, and/or his/her designee will notify parents or legal guardians by a telephone call or letter, depending on the situation. Whenever possible, students will be informed that their parents or legal guardians will be contacted. Outside of these unique circumstances, students may be asked to sign or can request to sign a release form that will allow the Vice President for Student Services and his/her designee to speak freely with a family member

regarding a student's experience on campus. Signing the release form allows the University to communicate more effectively with parents and/or guardians about matters related to their student's experience.

When parents/guardians are notified, contact information (including mailing address and telephone numbers) contained within the University's official data system(s) will be considered viable contact information; students should keep this contact information updated and current. On occasion, parental/guardian contact information may be obtained from other University resources.

POSTING POLICY

1.0 PURPOSE

Wheeling Jesuit University offers posting areas throughout campus to promote events and programs of recognized student organizations, University departments, and academic units. This policy ensures that all materials posted on campus are appropriate, and are removed in a timely manner.

2.0 POLICY STATEMENT

- a. All signs posted on campus must be stamped / approved by the appropriate University employee. Student Government Association, Campus Activities Board, and other clubs/organizations should seek posting approval from the Coordinator for Student Activities or Office of Residence Life. Residence Life Staff should seek posting approval from the Director of Residence Life or his/her designee. Other University offices should seek posting approval from the Director of University Communications. These offices will only stamp the original before copies are made.
- b. Events must be posted on the online events calendar prior to receiving an approval stamp to post the event information on campus. This allows for thorough advertising to the entire WJU community. The Events Calendar is easily assessable via www.wju.edu, then clicking on "Calendar" (bottom left on the main page)
- c. 14 days is the maximum time a flyer can be posted unless other arrangements are made with the appropriate campus office. It is the poster's responsibility to remove outdated posters.
- d. Advertisements for credit cards or credit applications will not be permitted on campus.
- e. Any sign posted on windows, doors, elevator doors, or vehicles will be removed immediately. This includes glass walls unless otherwise specified.
- f. Signs will be posted with masking tape only. Staples, nails, tacks, clear tape, double-sided tape, chewing gum, or any other adhesive may not be used on painted walls. Thumb tacks are available on most bulletin board posting areas.
- g. Signs posted inside residence halls are monitored by Residence Life staff and must comply with current Residence Life policies. Please contact the Office of

Residence Life in Swint 204, 304-243-2390, or reslife@wju.edu for more information.

- h. All advertisements from outside (off-campus) vendors must receive specific authorization from the Director of University Communications and/or designee.
- i. All signs posted on University property without the approved stamp will be removed immediately; such signs from off-campus entities may warrant legal action.

3.0 UNIVERSITY STATEMENT

Neither the contents of this policy, nor the receipt of an approval stamp for posting, should in any way be understood as endorsement of support by Wheeling Jesuit University of the materials being posted, or the actual function(s) being advertised. In the interest of public safety, exceptions to this policy may be made by the Vice President for Student Services or Director of University Communications.

ACADEMIC DISHONESTY & INTEGRITY POLICY

The Academic Dishonesty & Integrity Policy can be reviewed within the current academic year's Course Catalog at the following link - <http://www.wju.edu/academics/catalogs/>

HARASSMENT POLICY

1.0 PURPOSE

Wheeling Jesuit University is dedicated to fostering the dignity of each person and is committed to providing an environment and workplace that is free from all forms of harassment and discrimination against applicants and employees based upon any legally-recognized basis.

2.0 POLICY STATEMENT

2.1 Prohibited Harassment

Wheeling Jesuit will not tolerate any form of harassment, intimidation, ridicule, or insult based upon the following protected classes:

- Sex
- Gender
- Sexual Orientation
- Race
- Color
- Religion
- National Origin
- Ancestry
- Age (40 and above)
- Disability
- Familial Status
- Protected Activity
- Genetic Information
- Veteran Status
- Uniformed Service
- Member Status

2.2 Definitions

- a) "Harassment" may take many forms, including verbal (epithets, derogatory comments, or slurs), written, graphic (derogatory posters, photography, cartoons, drawings, or gestures), or physical conduct (assault, unwanted touching, or blocking normal movement) based upon the protected classes noted in 2.1 where such conduct is:
- a. Sufficiently severe, persistent or pervasive that it affects an individual's ability to perform his / her job functions and/or academic pursuits or creates an intimidating, threatening or abusive work / academic, or extracurricular environment; or

- b. Has the purpose or effect of substantially or unreasonably interfering with an individual's work, academic or extracurricular performance; or
 - c. Otherwise adversely affects an individual's employment, academic or extracurricular opportunities; or
 - d. Causes disruption to the University community.
- b) "Sexual harassment" may include unwelcome sexual advances, requests for sexual favors, unwanted physical contact, sexual assault, visual displays of degrading sexual images, sexually suggestive conduct, offensive remarks of a sexual nature, derogatory remarks directed toward a person because of his / her sex and other inappropriate conduct of a sexual nature where:
- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, instruction, or participation in an activity at the University; or
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or in making academic or educational decisions affecting an individual, such as evaluation or advancement decisions; or
 - c. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance, academic performance, living conditions, extracurricular participation or otherwise has the purpose or effect of creating an intimidating, hostile or offensive environment or causes disruption to the University community.
- c) "Consensual Relationships" include dating and sexual relationships willingly undertaken by both parties.
- d) "Protected Activity" is defined as opposing a practice made unlawful by one of the employment discrimination statutes or filing a charge, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under the applicable statute.
- e) "Sexual violence" refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

2.3 Coverage

This policy applies to all individuals employed by the University in any capacity including: non-supervisory personnel, supervisors, managers, directors, and all senior level employees; contractors, consultants, vendors, clients, or temporary employees; others providing services to the University; and visitors to the campus, as well as students and faculty. The coverage area includes the campus itself as well as any place where a University employee works or performs work activities as well as sponsored activities and events both on and off campus, and all satellite work sites.

2.4 Consensual Relationships

- a) The respect and trust students accord professors, coaches, mentors, club moderators or other employees of the university in a similar capacity, as well as the power

- exercised by a University employee in an academic or evaluative role, renders such voluntary consent suspect in light of the power differential that exists. Therefore, sexual and romantic relationships between employees and students are prohibited by the University and can lead to dismissal of the employee.
- b) The University realizes that situations may arise where consensual relationships develop between consenting employees. Because of the potential for conflicts of interest, exploitation, favoritism and bias, the University prohibits this type of relationship between a supervisor and a subordinate. The individual in the position of greater authority bears the primary burden of accountability and must ensure that he / she does not exercise any supervisory or evaluative functions over the other person in the relationship. When a romantic or sexual relationship exists between a supervisor and a subordinate, the University reserves the right to take appropriate action, in its discretion, to protect the interests of the University, which may include transfer, alternative supervisory or evaluative arrangements or dismissal of both parties. Should the university seek to employ the spouse of a current employee, the two cannot work within the same department and cannot be in a reporting relationship to each other.

2.5 Reporting Responsibility

- a) Any student or employee who feels that he / she is being harassed should first inform the offending party that the conduct or behavior is unwelcome and / or unappreciated and, second, that the behavior must stop. The student or employee should note the date the individual was so informed and any subsequent instances. If the harassing behavior is severe or pervasive, the employee or student should report the harassment immediately to the appropriate parties to secure personal safety (proceed to b. below).
- b) If the harassing behavior continues unabated, employees should promptly report the matter to the Human Resource Department; students should promptly report the matter to the Office of Student Development. The individual receiving the report will insure that it reaches the appropriate individual at the Director or Executive level within the respective department / office for prompt investigation.
- c) Allegations of sexual violence should be reported immediately to the appropriate parties designated in b. above. The University is primarily concerned with the safety of individual students and employees. Consequently, any incidents of sexual violence that may be connected with violations of other University policies (Ex: Drug and Alcohol Policy) will be addressed separately from the alleged violent act since such violations are never an acceptable excuse to commit an alleged violent act. Instances of sexual violence that result in bodily injury or battery should also be reported immediately to campus security and, subsequently, to local law enforcement.

2.6 Complaint Procedure / Investigation

- a) It is the University's policy to investigate complaints regardless of whether they conform to a particular format or are made in writing. Students and employees are strongly encouraged to report harassment or discriminatory conduct. Students should contact the Office of Student Development with questions about this process; employees should contact the Human Resource Department with questions about this process.

- b) Students or employees who wish to file a complaint should access the Harassment Reporting form (located on the HR Website) to assist in prompt, timely, investigations. Individuals may elect to complete the Harassment Reporting form themselves or report the harassment directly to the appropriate party noted in 2.5 (b.) above in a face-to-face meeting.
- c) The information noted on the Harassment Reporting Form should be completed (by the individual or in conjunction with appropriate party noted in 2.5 (b.) above in a face-to-face meeting), specifying the names of both the individual filing the complaint (Complainant) and individual alleged to have engaged in harassing behavior (Respondent). This information is necessary to initiate an investigation.
- d) The Director of Human Resources will document, record and evaluate all employee complaints and, if necessary, immediately initiate a formal and impartial investigation. The Dean of Student Development will document, record and evaluate all student complaints and, if necessary, place in the appropriate forum for impartial investigation. While complete confidentiality can never be guaranteed, the University will endeavor to protect confidentiality to the extent possible. Information and records will be treated as "Private / Confidential" per the Information Protection policy. If the complaint is ultimately investigated as a Title IX Complaint, the Complainant and the Respondent will not be brought together and, in all other instances, the University will endeavor to avoid bringing the two parties together.
- e) Investigations of alleged employee harassment will be carried out per existing University policies and procedures; investigations of alleged student harassment reported to the Office of Student Development will be carried out per the policies and procedures noted within the Student Handbook.
- f) The University may pursue interim measures during the investigation to protect the complainant.
- g) If it is determined that harassment has occurred, the University will take immediate and appropriate corrective action. Both the Complainant and the Respondent will be advised in writing of the findings of the investigation and their rights to appeal such findings.

2.7 Findings

Every investigation will be closed within sixty (60) days of report date with one of the following:

- a) No determination of harassment or misconduct can be made; or
- b) The Respondent engaged in harassment or other prohibited discriminatory conduct. Should the findings be closed as noted in "b", the University will;
 - a. Undertake corrective actions including possible suspension or termination of the Respondent.
 - b. Undertake remedial or protective actions with the Complainant deemed necessary to make the Complainant whole or protect the Complainant from the Respondent.

2.8 Retaliation

The University will not tolerate any adverse treatment of or retaliatory actions against any individual who, in good faith, reports harassment or violence, provides information

related to complaints of harassment or violence, or provides information in conjunction with an investigation of harassment, violence or other discriminatory behavior.

2.9 False or Malicious Allegations

Any individual who knowingly makes false reports, allegations or accusations of harassment or violence recklessly, in bad faith or with malicious intent will be subject to disciplinary action, up to and including expulsion for students and possible termination for employees.

2.10 External Reporting

Unlawful harassment is prohibited by state and federal law. In addition to the internal resources described above, individuals may pursue complaints directly with the government agencies that deal with unlawful harassment and discrimination claims, e.g., the US Equal Opportunity Commission (EEOC), the Office for Civil Rights (OCR) of the US Department of Education, the West Virginia Human Rights Commission and the Virginia Human Rights Council. Contact information for these agencies and information about the time frames for filing external charges are readily available in the internet. A violation of this policy may exist even where the conduct in question does not violate the law. Acts of sexual violence may be criminal in nature and individuals may pursue complaints with local law enforcement in addition to the internal resources described above. Pending the results of an internal investigation, and assuming the alleged sexual violence has not been reported to local law enforcement, the University retains the right to notify local law enforcement of its findings.

3.0 AUTHORIZATION

The Director of Human Resources, in conjunction with the President or his designee, has the authority to change or modify this policy at any time, with or without notice, to maintain compliance with regulatory changes and mandates.

4.0 ATTACHMENTS

[Harassment Complaint Form](#)

INFORMATION TECHNOLOGY POLICIES

Policies for Information Technology can be viewed at the following portion of the Wheeling Jesuit University website - <http://wju.edu/IT/policies/default.html>

MEDICAL LEAVE OF ABSENCE POLICY

The Medical Leave of Absence Policy can be reviewed within the current academic year's Course Catalog at the following link - <http://www.wju.edu/academics/catalogs>

ORGANIZATION: HUMAN RIGHTS AND VALUES

1.0 PURPOSE

Wheeling Jesuit University, one of 28 American colleges and universities in the Jesuit tradition of academic excellence and service to others, educates the whole person - caring for the mind, body and spirit of each student. The heart of a Jesuit education lies in learning to discern God's will on our lives, and applying that knowledge to all we are and do. This tradition can only be supported by employees who understand and commit to the underlying philosophies, mission and values that support that tradition.

2.0 POLICY STATEMENT

2.1 Human Rights

- a) The members of Wheeling Jesuit University respect the dignity and worth of the individual and strive for the preservation and protection of fundamental human rights. While requiring for themselves freedom of inquiry and communication, members of the University community accept the responsibility this freedom requires.
- b) Wheeling Jesuit University does not discriminate on the basis of race, color, gender, creed, sexual orientation, religion, national origin, age, marital status, disability or Vietnam Era or disabled veteran status in matters relating to employment of or in consideration of eligible students for admissions, rewards, or financial aid where and in so far as these classes are defined and protected by applicable law. Nor does the University discriminate in matters relating to employment of any individual on the basis of race, color, creed, sexual orientation, religion, gender, ethnicity, national origin, age, marital status, disability, or Vietnam Era or disabled veteran status where and in so far as these classes are defined and protected by applicable law.
- c) The University is also committed to providing its employees and students with an environment free from implicit or explicit behavior used to control, influence or otherwise negatively affect the well-being of any member of the University community. Therefore, the University explicitly prohibits and vigorously opposes any form of harassment based upon any class, activity or status protected by law.
- d) Harassment includes an unwelcome emphasis on any of the protected characteristics in such a way as to create an intimidating, hostile or demeaning work or educational environment. Any form of harassment will result in appropriate corrective action and disciplinary action, up to and including suspension or separation from the University.

Any harassment which involves physical abuse or the violation of another individual's privacy or property may result in immediate separation from the University.

- e) Although harassment is not intended or perceived, generally romantic relationships between a person in power and a subordinate (i.e., faculty / student, supervisor / employee, employee / student), even where coercion is not involved, are considered inappropriate. Such relationships may exploit the trust and dependency of students and subordinates and impede professional judgment.
- f) To maintain a work environment and academic community that is free from all forms of harassment, the University maintains a comprehensive Anti-harassment Policy and complaint procedure. Any person who believes he or she has experienced harassment in any form is strongly encouraged to consult the University's Anti-Harassment Policy and make free use of the resources and the complaint procedure provided therein.

2.2 The University Mission

- a) **Life:** The Jesuit traditions of educational excellence and service to others guide all the programs at Wheeling Jesuit University. By integrating learning, research and economic development with classical knowledge and Christian revelation, the University seeks to foster competence, creativity, and innovation throughout and beyond the campus community. Graduates of the University enter the world of work with socially-responsible goals, a lifelong appetite for learning, and the desire to make our universe a better place.
- b) **Leadership:** To model the Jesuit concern for regional and global neighbors, the University welcomes people of all creeds, races and nationalities to share in the intelligent pursuit of excellence. The University promotes close student-faculty contacts and encourages students to develop their full potential for leadership. Through a grounding in the liberal arts and, above all, the example of Jesus Christ, the University endeavors to produce intelligent, moral leaders who will champion the Jesuit values of faith, peace and justice. Wheeling Jesuit envisions a dynamic leadership role for the University in the lives of its students and in the world at large.
- c) **Service with and among others:** In its faculty and students, its research, and outreach, the University is national and international. Yet as the only Catholic institution of higher learning in the Appalachian region, Wheeling Jesuit also values its distinctive mission to the immediate area, educating local men and women and returning them to enrich their own communities. Wheeling Jesuit University firmly believes its graduates will enter the professional world prepared to use their God-given talents not solely for personal fulfillment, but as men and women in service to others.

2.3 The University Code of Ethics - Individual Focus on Values and Ethics

- a) As a Jesuit University, with a tradition that extends more than 450 years into history, we are founded on the principles of intellectual competence and caring for others. This foundation presupposes that the men and women, who act on behalf of Wheeling Jesuit University, act in concert with these salient values and ethics. Actions that emerge from competence and compassion also presuppose that these men and women would not intentionally act to undermine the university, its policies, laws of the land, or other

persons. In all cases, the men and women of this university should act in ways that work to elevate the institution, its students and all other employees. This Jesuit tradition provides the core values of our Code of Ethical Conduct.

- b) The University is entrusted by society with great resources and commensurately great responsibilities for creation, dissemination and preservation of knowledge. University administrators, managers, supervisors and employees play a key role in assuring that high standards of ethical practice attend to the custody and use of these resources. The personal and professional conduct of these individuals reflects on the university, the collective profession, and the higher education enterprise at large. Our employees conduct should be characterized by integrity and dignity; all employees should expect and encourage such conduct by others. To guide employees in setting and practicing high standards of ethical conduct, University employees should adopt and be faithful to personal values that:
 - a. Accord respect to self and others;
 - b. Preserve honesty in actions and utterances;
 - c. Give fair and just treatment to all;
 - d. Accept intellectual and moral responsibility;
 - e. Aspire to achieve quality;
 - f. Refuse conflict, or the appearance of conflict, between personal and institutional interests; and
 - g. Foster expressions of one's own view with tolerance for the views of others.
- c) Our employees should act with, and should strive to advance, competence, both in self and in others. They should understand and support their institution's objectives and policies, be capable of interpreting them within and beyond the institution, and contribute constructively to their ongoing evaluation and reformulation. Finally, they should communicate to institutional colleagues the content of this Code of Ethics with the following rights:
 - a. The right to work in a professional and supportive environment;
 - b. The right to have clear, written, statements of the conditions of their employment, procedures for professional review, and a job description outlining their duties and responsibilities;
 - c. Within the scope of their authority or policy, the right to exercise judgment and perform duties without disruption or harassment; and
 - d. Freedom of conscience and the right to refuse to engage in actions that violate the ethical principles contained in this Code or provisions of law.

3.0 AUTHORIZATION

The Director of Human Resources, in conjunction with the President of the University, has the authority to approve changes or exceptions to this policy at any time with or without notice, provided such changes are in compliance with other policy guidelines.

4.0 ATTACHMENTS

SMOKING POLICY

1.0 PURPOSE

Wheeling Jesuit University has a vital interest in maintaining a healthy and safe environment for its students, faculty, staff and visitors while respecting individual choice. Toward those goals, the University has designated both Smoking and Smoke Free areas. When the desire of smokers conflicts with the desire of nonsmokers, the desires of the nonsmokers will prevail.

2.0 POLICY STATEMENT

2.1 Definitions

- a. "Smoking" includes both tobacco products and electronic smoking devices ("e-cigarettes").
- b. "Smoking Areas" are areas on campus where smoking is permitted.
- c. "Smoke Free Areas" are areas on campus where smoking is prohibited.

2.2 Policy Statement

- a. Smoking is NOT permitted in ANY indoor area including, but not limited to, all areas inside of the University buildings and vehicles. There are NO exceptions. All indoor or confined areas are designed and designated as "Smoke Free Areas."
- b. Smoking is NOT permitted in outdoor facilities and other areas used for spectator sports, meetings, entertainment and dining including, but not limited to: exterior balconies or porches attached to buildings, areas within 25 feet of any building entrances, doors and windows (including Whelan Hall and CET) not designated as Smoking Areas, audience areas where people or spectators congregate such as athletic fields and stadium grandstands, and outdoor dining facilities. These areas are designated as "Smoke Free Areas."
- c. Smokers must remain 25 feet or more from any door or window and must utilize designated Smoking Areas with receptacles around campus buildings and entrances. Smokers must insure that smoke does not enter buildings. It is their responsibility to dispose of cigarette butts in the proper receptacles and not in garbage cans or on the ground.

2.3 Responsibilities of the Campus Population

- a. Smokers must respect the rights of non-smokers and smoke within designated Smoking Areas only. Nonsmokers must respect the rights of smokers to use the areas designated as Smoking Areas.
- b. Violations are to be reported to supervisors, Resident Assistants or the Director, Security, Residence Life-Student Development, Human Resources or other appropriate University Faculty or Administrative personnel.

2.4 Coverage

This policy applies to everyone on the University campus including students, faculty, employees, contractors, vendors, visitors and others providing services to the University.

2.5 Campus "Smoking Areas" are designated as an attachment.

2.6 The University does not discriminate in employment based solely upon the use of tobacco products of premises during nonworking hours.

3.0 AUTHORIZATION

The Director of Human Resources has the authority to change, modify or approve exceptions to this policy at any time with or without notice and with the approval of the University President or his designee (Sr. Vice President).

4.0 ATTACHMENTS

[Map of Designated Smoking Areas](#)

STUDENT RECORDS POLICY

1.0 PURPOSE

In order to be of service to its students and to fulfill its educational mission, Wheeling Jesuit University compiles and maintains records on all its students. These records are the property of Wheeling Jesuit University. University property is not to be removed from campus without supervisor approval. If approval is given, it will be the supervisor's responsibility to see that the property is returned. Records vary regarding the level of confidentiality and life expectancy. The policy herein described seeks to establish general procedures for supervising, compiling, maintaining, retaining, and releasing student records. This policy covers student records maintained by the University and in no way attempts to order the private notes of administrators, faculty members, chaplains, physicians, and counselors.

2.0 POLICY STATEMENT

a) Supervision of Student Records

Overall administration of all student records that are the property of Wheeling Jesuit University is the responsibility of the President of the University who acts in the name of the University. The President delegates to certain University Officials immediate responsibility for administration of particular categories of student records. These officers may in turn designate administration of records to other educators, depending on the size and complexity of their areas of responsibility. The officers and categories of their record administration are as follows:

- a. The Chief Academic Officer , together with the Registrar, administer all academic records.
- b. The Chief Enrollment Officer administers the records of candidates for admission and the Director of Student Financial Planning administers the records for financial aid.
The Chief Financial Officer administers and maintains student financial records.
- c. The Chief Student Development Officer administers the following student records:
 - i. Student conduct records.
 - ii. Housing records (within the Office of Residence Life)
 - iii. Student medical records (within the Health Center)
 - iv. Student internship and career placement records (within the Career Development Office).
 - v. Student Athletic Records (within the Athletic Department)

b) **Compiling Student Records**

Records should only be compiled where there is a demonstrable need which bears on the educational or other purposes of the University. Each officer shall approve any inclusion of information within a student's record in the area under his or her jurisdiction.

c) **Maintaining Student Records**

- a. Records will be stored in a reasonably private place not accessible to the passerby.
- b. An official and duplicate copy of each current academic transcript will be stored in a separate place other than the Registrar's Office.
- c. Academic, medical, counseling, placement, and student conduct records shall be kept separate from one another.
- d. Wheeling Jesuit University will take all reasonable precautions to protect student records. However, the University assumes no responsibility or liability for records stolen, destroyed by fire, flood, riot, war, or other natural or man-made disasters.
- e. Wheeling Jesuit University shall maintain a log of all non-University individuals, agencies, or organizations that have requested or obtained access to a student's records. This log will specify the legitimate interest that each such person, agency, or organization has in obtaining this information. This log will be available to persons or organizations authorized under the Family Educational Rights and Privacy Act, Public law 93-380 ("FERPA").

d) **Retention of Records**

- a. **Directory Information** - Wheeling Jesuit University will retain at its discretion for an indefinite period of time, directory information on students which is a matter of public record such as: information which has appeared in University publications, directories, programs, commencement exercises, convocations, and newspapers. Directory information includes: on-campus or local address, permanent address, telephone number, mailbox number, date and place of birth, major membership in University clubs/organizations, councils, athletic teams, committees, honors, dates of attendance, date and type of degree awarded, leadership positions, and University photo ID. Any student wishing to have his/her name and directory information withheld from the above mentioned public documents shall notify the Office of the Registrar.
- b. **Academic Records** - Wheeling Jesuit University will maintain for the natural life of each student an academic transcript that shall include an unabridged and chronological record of all courses undertaken, grades received, and status achieved.
 - C. **Non-Academic Records**
 - i. Students who withdraw from or fail to return to the University shall have their records maintained at the discretion of the University for five full years. The University may choose to retain files for a longer period for financial obligations, research purposes, legal mandates, or other approved reasons.
 - ii. The records of students who are suspended from the University for either academic or student conduct reasons, or who are granted a leave of absence will be maintained for the period of suspension or leave of

- absence, and where said students fail to return, further maintained at the discretion of the University for five full years or longer as in paragraph #1.
- iii. The records of students (except for those which bear on the dismissal) dismissed for academic or student conduct reasons will be maintained at the discretion of the University for five full years or longer as in paragraph #1. Those records that bear on the dismissal shall be maintained at the discretion of the University of an indefinite period of time, but not less than five full years.

c. Disclosure and Evaluation of Student Records

- i. **Directory Information** - Certain information found in campus directories is not considered confidential, private, or personal by the University and is therefore available to the University community and the public at the discretion of the University. Information of the above sort is considered public record and includes items such as: information that has appeared in University publications, directories, programs, commencement exercises, convocations, and newspapers. Directory information also includes: On-campus or local address, permanent address, telephone number, mailbox number, date and place of birth, major membership in University clubs/organizations, councils, athletic teams, committees, honors, leadership positions, dates of attendance, date and type of degree awarded, and the weight and height of members of athletic teams. Any student wishing to have his/her name and directory information withheld from the above mentioned public documents shall notify the Office of the Registrar.

- ii. **Disclosure to Parents**

1. Parents or legal guardians of students under 18 years of age shall have access to all records as specified under FERPA. Requests to examine a student's record are to be in writing and include the specific categories of information to be reviewed. The University has 45 days to comply with such requests from the date that the written request is received by the University.
2. As a Jesuit university, we believe in the family's essential role in the education process and also believe in the right of those who finance an individual's educational instruction to know the status of their investment. The University therefore will, at its discretion, inform parents or legal guardians of serious matters affecting the educational development of their dependent children at Wheeling Jesuit University. Grades indicating unsatisfactory progress may also be released to the parent or guardian of any student who is legally defined in Section 152 of the Internal Revenue Code of 1954 as being dependent. A parent may establish his/her child as a dependent by providing a copy of his/her federal income tax return that must indicate the child as a dependent. The student will be classified as a dependent for the extent of his/her enrollment. If there is a change in the dependent status, it is the responsibility of the student to notify, with documented proof, of the status change.

The student may also sign an academic release form permitting his/her parent(s) to receive academic information. Again, once a release form is signed it will serve for the extent of the student's enrollment unless the student notifies the Office of the Registrar.

3. Also refer to the Parental Notification Policy.

iii. **Disclosure to Students**

1. A student's request to inspect his/her admission, academic, athletic, financial, medical, placement or student conduct records should be directed to contact the Dean of Student Development or the Registrar, depending upon the nature of record. The University has 45 days to comply with such requests from the date that the written request is received by the University. Students may waive their right of access to confidential recommendations placed in their file in the future. Such waivers must be in writing, voluntary, and will be placed in that student's personnel file. Requests for copies of files will be honored on an as needed basis. Confidentiality will be respected.
2. While students may inspect their financial records, they may not inspect information within their files pertaining to the financial affairs of their parents or guardians unless they are documents that the student has signed.
3. Students may inspect their medical records for clarification and questions in the presence of the University physician (if applicable) or request for a release to a physician of the student's choice.
4. Individuals denied admission to the University may not inspect any file pertaining to them which is the property of Wheeling Jesuit University.

iv. **Disclosure to Other Educators & University Officials**

Parts of a student's record may be disclosed to a University official, who has legitimate educational interest in the student's records. Such an interest exists whenever the official needs the information to fulfill his or her professional responsibilities. University officials are faculty, administrators, trustees, students serving on official university committees or assisting another university official in performing his or her duties (including Student Conduct Board), and third parties with whom the University has contracted such as attorneys, auditors, or collection agents.

v. **Disclosure to Other Third Parties**

1. Individuals external to the University such as salespeople, prospective employers, and government officials do not have access either to student records or information therein without the written consent of the student.
2. The University will release information from a student's file as required by a court of law or by FERPA. Requests for copies of files will be honored on an as needed basis. Confidentiality will be respected.

3. The University may disclose student financial aid information as necessary to determine eligibility for the aid; determine the amount of the aid; determine the conditions for the aid; or enforce the terms and conditions of the aid.
 4. The University reserves the right to withhold release of information about a student including transcripts when that student is delinquent in his or her financial obligations to the University.
 5. The University may use student records to collect statistical data for either its own use or use by others, but in such cases the identity of the student shall be masked.
 6. Financial aid information concerning loans, jobs, scholarships, and grants shall not be released to any source other than the awarding agency or where permitted by Public Law 93-280 without the written permission of the student.
 7. The University will not release photocopies of campus incident and/or security reports without the expressed consent from an attorney and/or by court mandate.
- vi. **Evaluation of Student Records**
Only official University Committees and professional educators charged to do so by Wheeling Jesuit University will do evaluation of student records.
- vii. **Challenges to Information Within Student Records**
1. The Family Educational Rights and Privacy Act (part of Public Law 93380) limits the disclosure of student records and governs student access to his or her academic records. The University has developed this policy to be consistent with this law. Individuals wishing a copy of the University's policy or who wish to review their official records should see the Dean of Student Development and/or his/her designee.
 2. Parents of students under 18 years of age and students 18 years of age or older have the right to ask the University to amend their student records on the grounds that the information in the records is inaccurate, misleading, or otherwise inappropriate or violates the student's privacy rights.
 3. Such requests or challenges are to be submitted in writing to the Dean of Student Development as appropriate and shall include the specific items challenged.
 4. A hearing board comprised of the Dean of Student Development, Academic Dean, one Faculty member (appointed by the Associate Dean) and one Student Development member (appointed by the Dean of Student Development) shall hear and judge all challenges. The administrator charged with keeping the challenged records or his/her designee, along with the parent or student challenger, shall be present for the hearing.

Wheeling Jesuit University reserves the right to change the above policy at any time; such changes will be noted in the Student Handbook.

viii. **Student Records and HIPAA**

1. HIPAA - Under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), Title 42, United States Code, Section 1320d, the U.S. Department of Health and Human Services adopted national Standards for Privacy of Individually Identifiable Health Information (the "Privacy Rule") to protect an individual's personal health information. These standards apply to certain "covered entities", such as health plans, health care clearinghouses, and certain health care providers, who transmit health information in electronic form in connection with covered transactions.
2. Personal Health Information Contained in Education Records. To the extent that a student's education records contain personal health information that is identifiable to a particular student, the University maintains and treats this information in accordance with the requirements of the Family Educational Rights and Privacy Act, as amended. The University recognizes that under Title 45, Code of Federal Regulations, Section 160.103, the HIPAA Privacy Rule does not cover personal health information that is covered by FERPA.
3. Units Regarded As Covered Entities For HIPAA Compliance. For the purpose of HIPAA compliance, the University has determined that the functions it performs with respect to the administration of its self-insured group health plan are covered functions and that it is a covered entity only with respect to these functions. The University designates this function and component of operations as a covered function for the purpose of HIPAA compliance. The University has also undertaken a review of the functions of its student health services and student counseling center and has determined that neither of these units transmits health information in electronic form in connection with covered transactions and neither is covered by HIPAA. Although these units are not covered by the HIPAA Privacy Rule, the University recognizes that an individual personal health information may, nevertheless, be subject to other privacy protections arising under the Family Educational Rights and Privacy Act and other applicable state and federal laws.
4. Medical & Mental Health Records. Education records do not include medical and mental health information that is collected, maintained, or used for purposes of providing assessment and/or treatment to the student. Such records are kept only in the Health Center and are treated as confidential. They may be disclosed only to the extent and in manner provided by law.

3.0 AUTHORIZATION

4.0 ATTACHMENTS

VEHICLE REGISTRATION AND PARKING VIOLATIONS

Please refer to the University's parking policies at the following link -
<http://wju.edu/about/hr/pdf/parking-policy.pdf>

ZERO TOLERANCE FOR VIOLENCE POLICY

1.0 POLICY STATEMENT

Wheeling Jesuit University supports all efforts to prevent violence on campus. Any violation of another person's rights, including but not limited to physical or verbal threats, mental abuse, slander, physical harm, the harassment of another person, or destruction of another person's property will result in the campus taking the necessary and appropriate action to protect the safety and well-being of the campus community. If a student or employee presents a danger or direct threat to self or others, immediate action may be taken to remove and distance the individual from the campus community pending full review. Use of alcohol, drugs or other intoxicating substances will not excuse a violation of this policy.

2.0 AUTHORIZATION

3.0 ATTACHMENTS

PREGNANCY POLICY

I. Policy

Wheeling Jesuit University is committed to the teachings and moral values of the Catholic Church, including the belief that “human sexuality ... is to be genitally expressed only in a monogamous heterosexual relationship of lasting fidelity in marriage.” At the same time, consistent with its pro-life stance and its nondiscrimination policies, the university encourages students who do become pregnant to continue their studies and to retain their campus housing as long as continuing to live in campus housing is safe for both the child and mother. Referrals for prenatal health care and other supportive services will be made available through appropriate university offices as necessary and requested.

STUDENT SERVICE ANIMAL AND EMOTIONAL SUPPORT ANIMALY POLICY

I. Statement of Policy

Wheeling Jesuit University supports the use of service animals and emotional support animals on campus by students with disabilities in appropriate circumstances and in accordance with this policy. Those with questions about the use of service animals or emotional support animals should refer to this policy and/or contact:

Kathleen Tagg, Director of Disability Services
Ignatius G-24
304-243-4484
ktagg@wju.edu

Note: Any student who speaks with Ms. Tagg will have to sign a confidentiality release form in order for her to speak with other staff members regarding the student.

II. Definitions

- A. **Service Animals** are defined under the Americans with Disabilities Act (ADA) as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Service animals are working animals, not pets. The work or tasks performed must be directly related to the individual's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals.

1. Examples of work or tasks that service animals perform include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as books or the telephone, alerting a person to a sudden change in blood sugar levels, providing physical support and assistance with balance and stability to individuals with mobility disabilities, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
2. Miniature horses may also be considered service animals in certain situations.

- B. **Emotional Support Animals** – An emotional support animal (ESA) is an animal (typically a dog or cat though this can include other animals) that provides a therapeutic benefit to its owner through companionship. The animal provides emotional support and comfort to individuals with psychiatric disabilities and other mental impairments. The animal is *not* specifically trained to perform tasks for a person who has emotional disabilities. *Unlike a Service Animal, an ESA is not granted access to places of public accommodation; the animal's access is restricted to the student's housing.*

- C. **Owner** – A student who has an approved emotional support animal in residential housing.
- D. **Handler** – A person with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.

III. Specific Procedures for Students

- A. **Service Animals** – Students with disabilities who wish to bring a service animal to Wheeling Jesuit University’s campus – including residential facilities, classrooms, and other University buildings – may do so without prior approval. However, they are *strongly encouraged* to reach out to the Director of Disability Services to ensure that their experience bringing the animal to campus is smooth. Additionally, students with service animals who plan to live in residential facilities are also *strongly encouraged* to inform the Office of Residence Life that they plan to have a service animal living with them. Advance notice of a service animal in residential facilities may allow more flexibility in meeting a student’s needs.
- B. **Emotional Support Animals** – Students who wish to bring an emotional support animal into residential facilities as an exception to the “no pet” policy must go through the reasonable accommodation processes with the Director of Disability Services. While accommodation requests will be accepted and considered at any time, requests should be made as far in advance as is reasonably possible before the student intends to bring the animal to campus in order to ensure timely consideration. An emotional support animal will not be permitted in residential facilities until formal approval has been received from the Director of Disability Services and required forms completed with the Office of Residence Life.
 - 1. Upon receipt of request for an emotional support animal, the Director of Disability Services will engage in communication with the student to determine if the use of the animal is a reasonable accommodation. This is an individualized assessment and determinations will be made on a case-by-case basis.
 - 2. In order for an emotional support animal to be considered as a reasonable accommodation for a student with a disability, supporting documentation should be from a professional healthcare provider (on letterhead) and generally include the following information:
 - i. A current diagnostic statement that identifies the disability, including date of initial and most current diagnosis, any evaluations/testing that support the diagnosis, and a description of the functional limitation of the disability;
 - ii. Information regarding the relationship between the disability and the relief the animal provides; and
 - iii. Information that demonstrates the animal is necessary in order for the student to use and enjoy his/her living arrangement.
 - 3. Once a student receives the appropriate recommendation for an ESA as a reasonable accommodation, the owner is required to complete an agreement with the Office of Residence Life in regard to the ESA and the owner’s responsibilities. This agreement also outlines the University’s responsibilities. It is important to note that the owner is

not permitted to bring the emotional support animal into classrooms, meetings, or other University facilities/events.

IV. General Standards for the Removal of Service Animals or the Disapproval/Removal of Emotional Support Animals

- A. Decisions to remove a service animal or disapprove/remove an emotional support animal will be made on a case-by-case basis, taking into account all surrounding circumstances. However, the following general standards reflect reasons why an animal may be removed or disapproved:
1. The animal poses a direct threat to the health or safety of others. For example, the animal displays vicious behavior towards others or has a serious illness.
 2. The animal causes or would cause substantial physical damage to the property of the University and other community members, including but not limited to students, faculty, staff, and visitors.
 3. The animal poses an undue financial and administrative burden to the University.
 4. The animal would fundamentally alter the nature of the University's housing and/or general operations.
 5. The animal is out of control and the handler/owner does not take effective action to control it. If the out of control behavior happens repeatedly, the handler/owner may be prohibited from bringing the animal into University facilities until the handler/owner can demonstrate that he/she has taken significant steps to mitigate the behavior.
 6. The animal is not housebroken.
 7. The handler/owner does not abide by his/her responsibilities as outlined in Section V of this policy or as outlined in any agreement completed with the Office of Residence Life.
- B. When an animal has been properly removed pursuant to this policy, Wheeling Jesuit University will work with the handler/owner to determine reasonable alternative opportunities to participate in the University's services, programs, and activities without having the animal on the premises.

V. Responsibilities of Handlers/Owners

- A. **Laws, Ordinances, and Policies** – Handlers/owners are responsible for complying with all state laws and local animal ordinances and are subject to all University policies and guidelines regarding Residence Life.
- B. **Proper Identification** – All animals are subject to local licensing and registration requirements.

- C. **Health and Vaccination** – Animals must be immunized against diseases common to that type of animal. All vaccinations must be current. These animals must wear a rabies vaccination tag and, in the case of emotional support animals, vaccination documentation must be provided to the Office of Residence Life prior to the animal being permitted into any residence hall.
- D. **Caring for the Animal** – The cost of care, arrangements and responsibilities for the well-being of the animal is the sole responsibility of the handler/owner at all times. Wheeling Jesuit University will accept no responsibility for the care of any animal covered by this policy.
1. The animal(s) must be well groomed (residential facilities such as showers, tubs, sinks, and the like may not be used for this purpose).
 2. The animal(s) cannot be left unattended overnight at any time. If the handler/owner must be away, they must either take the animal(s) with them or make arrangements for the animal(s) to be cared for elsewhere off campus.
 3. The animal(s) cannot be confined to a vehicle, tethered or abandoned at any time.
 4. Regular and routine cleaning of floors, kennels, cages, etc. must occur. The odor of an animal emanating from a residence hall room is not acceptable.
- E. **Keeping the Animal Under Control** – The animal should respond to voice and/or hand commands at all times, and be fully controlled by the handler/owner.
- F. **Being Responsible for Damage Caused by the Animal** – Handlers/owners are personally responsible for any damage caused by their animals and must take appropriate precautions to prevent property damage. The handler/owner will be required to pay for any damages caused by the animal.
1. An individual with an animal covered by this policy in a residence hall has an obligation to make sure that the residence is as clean and damage-free as the original standard, except normal wear and tear.
 2. When the individual moves out of residential housing or no longer owns the animal, the residence will be assessed to determine if damage to University property or extraordinary cleaning costs are attributable to the animal. If so, the owner will be financially responsible for associated costs.
 3. The University maintains the right to conduct facility inspections for the purpose of assessing damage caused by the animal or otherwise determining the owner's compliance with this policy.
- G. **Being Responsible for Waste** – Cleaning up after the animal is the sole responsibility of the handler/owner and it must be done so immediately. In the event that the handler/owner is not physically able to clean up after the animal, it is then the responsibility of the handler/owner to hire someone capable of cleaning up after the animal.
- H. **Leash Requirements** – Service animals should be on a leash at all times, unless the owner is unable to use a leash due to a disability or the use of the leash would interfere with the animal's ability to perform its duties.

Emotional support animals must be on a leash/harness or in an animal carrier when an ESA is outside a student's living accommodation.

- I. **Observing Good Animal Etiquette** – To the greatest extent possible, the handler/owner should ensure that the animal does not display behaviors or make noises that are disruptive or frightening to others, unless it is part of the service being provided to the handler (e.g., barking to alert the handler of danger). The animal must possess friendly and sociable characteristics.
- J. **Other Conditions and Restrictions** – In response to a particular situation, Wheeling Jesuit University reserves the right to impose other reasonable conditions or restrictions on the use of service animals and emotional support animals as necessary to ensure the health, safety, and reasonable enjoyment of University programs and activities by others.

VI. Other Information Specifically Related to Service Animals

A. Permitted Inquiries

- 1. In general, members of Wheeling Jesuit community should not ask about the nature or extent of a person's disability. However, as permitted by the ADA, if it is not obvious that the animal is required because of a disability, the handler may be asked:
 - a. If the animal is required because of a disability, and
 - b. What work or task the animal has been trained to perform.
- 2. The handler should not be asked for documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, University community members should not make inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., if the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

B. Areas Off Limits to Service Animals

- 1. While service animals are generally allowed to go anywhere on campus that the handler is allowed to go, there are certain areas where the presence of a service animal fundamentally alters the nature of a program/activity or is disruptive. Examples of the areas that are off limits to service animals include:
 - a. Research Laboratories: The natural organisms carried by service animals may negatively affect the outcome of the research. At the same time, the chemicals and/or organisms used in the research may be harmful to service animals.
 - b. Mechanical Rooms/Custodial Closets: Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.

- c. Food Preparation Areas: Food preparation areas are off limits to service animals per health codes.
 - d. Areas Where Protective Clothing is Necessary: Any room where protective clothing is worn is off-limits to service animals. Examples impacting students include kilns, chemistry laboratories, wood shops and metal/machine shops.
 - e. Areas Where There is a Danger to the Service Animal: Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor (e.g., molten metal or glass); where there is a high level of dust; or where there is moving machinery is off-limits to service animals.
2. Questions regarding areas that are off limits to service animals should be directed to the Director of Disability Services, or in the laboratory setting, the laboratory instructor. Exceptions may be granted in some circumstances.

VII. Additional Matters

- A. **Roommates** – Upon approval of an emotional support animal, or if a student intends to have a service animal in residential housing, the student’s roommate(s) will be notified (if applicable) that the approved animal will be residing in shared assigned living space and to solicit their acknowledgement of such.
- 1. All roommates must sign an agreement allowing the approved animal to be in residence with them. In the event that one or more roommates do not approve, the Director of Residence Life and/or Vice President for Student Services will consult with all of the individuals involved and, based on the circumstances, determine the appropriate course of action, including a possible switch in housing assignments.
 - 2. If at a point later in time there is a conflict between roommates regarding the animal that cannot be resolved amongst the individuals involved, the Director of Residence Life, and/or Vice President for Student Services should be contacted. Appropriate parties will be consulted in order to reach a solution.
- B. **Animal No Longer Necessary** – The Director of Disability Services and Office of Residence Life should be notified when an animal covered by this policy will no longer be in residence or, in the case of emotional support animals, is no longer needed as an accommodation. To replace an animal, the student must submit a new request to demonstrate that the new animal is necessary due to the student’s disability.
- C. **Conflicting Disabilities** – Some people may have allergic reactions, asthma, respiratory diseases, etc. to animals that are substantial enough to qualify as disabilities. Wheeling Jesuit University will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact the Director of Disability Services.

D. **Concerns** – Concerns regarding an animal covered by this policy can be brought to the attention of the Vice President for Student Services.

1. Individuals with animals covered by this policy in residential housing should understand that issues may arise with other residents. The individual with the animal should be receptive to these concerns and, if necessary, contact the Director of Residence Life and/or Vice President for Student Services for assistance in resolving the situation.
2. Other residents with minor concerns about an animal in their residence hall may discuss the matter with the owner/handler or talk with a representative of the Residence Life Staff. Major concerns should immediately be brought to the attention of the Director of Residence Life and/or Vice President for Student Services.

VIII. Grievance Procedure Related to Disability Accommodations

Students who believe they have not been granted an accommodation are entitled to or otherwise have a grievance related to disability accommodations can contact Dr. Daniel Dentino, Vice President for Student Services, at 304-243-2350 or ddentino@wju.edu. If the accommodation at issue is an academic accommodation, the matter will be referred to the Vice President for Academic Affairs who will review the situation, consult with appropriate personnel, and make a final determination on the matter. For all other types of accommodations (e.g., use of an emotional support animal in the residence halls), the Vice President for Student Services will review the situation, consult with appropriate personnel, and make a final determination on the matter.