

WHEELING
UNIVERSITY
A Catholic University

Student Handbook
Office of Student Affairs

2026-2027
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Welcome from the Vice President of Enrollment and Student Affairs

Welcome to the 2026–2027 academic year at Wheeling University!

It is an honor to serve as your Vice President for Enrollment and Student Affairs. As I begin my first year at Wheeling University, I look forward to getting to know your story, supporting your goals, and being part of your journey as a Cardinal

Whether you are beginning your first year of college or returning to campus, we encourage you to take advantage of the many opportunities available to you both inside and outside the classroom. College is a time to learn, grow, build meaningful relationships, strengthen your faith, and discover your purpose.

This Student Handbook is designed to serve as a resource throughout your time at Wheeling University. It outlines important policies, procedures, and expectations that help us maintain a safe, respectful, and supportive campus community. We encourage you to familiarize yourself with its contents and refer to it whenever questions arise.

Most importantly, please know that the Office of Student Affairs, located in the Acker Building, is here to support you. Our team is committed to helping students thrive academically, socially, personally, and spiritually. Whether you have a question, a concern, need assistance, or simply want to connect, we encourage you to reach out. One of the greatest strengths of Wheeling University is the sense of community we share, and we are committed to helping every student feel welcomed, supported, and valued.

We wish you a successful academic year filled with growth, achievement, friendship, and faith. We look forward to celebrating your accomplishments and supporting you throughout your Wheeling University journey. Together, let us make this a year marked by learning, service, leadership, and community.

Go Cardinals!

Sincerely,

Denise Mirasola, Ed.D.
Vice President for Enrollment and Student Affairs

A Catholic University

MISSION, GUIDING VALUES, AND STUDENTS' RIGHTS AND RESPONSIBILITIES
MISSION

Life
Our traditions of educational excellence and service to others guide all the programs at Wheeling 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 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 values of faith, peace and justice. Wheeling University 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 campus based Catholic institution of higher learning in West Virginia, Wheeling University also values its distinctive mission to the immediate area, educating local men and women and returning them to enrich their own communities. Wheeling 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 University, and the University's enforcement of these policies, are rooted in the following tenets of our rich 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 community, we are all invited to search and find God in every circumstance of life.
- *Pedagogy:* 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 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, disability, 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 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 and our Catholic foundation —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 them with sufficient detail.

- The right to know the nature and source of the evidence that will be used against them, per federal regulations.
- The right to present evidence and witnesses relevant to their 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. Students at the University are expected to act consistently with the Catholic 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, sex, creed, national origin, age, marital status, genetics, disability, veteran status or any other protected class".

INTERPRETATION AND REVISION:

Any question of interpretation or application of the Student Handbook shall be referred to the Vice President for Enrollment & Student Affairs and/or their designee. The Student Handbook shall be reviewed and updated as necessary annually under the direction of the Vice President for Enrollment & Student Affairs and their 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 Enrollment & Student Affairs and/or their designee.

STUDENT CODE OF CONDUCT

MEN & WOMEN FOR OTHERS: PURSUIT OF THE COMMON GOOD

The quality of a Wheeling University education is dependent upon the community acceptance and enforcement of the Honor Code. The Student Honor Code reads:

We, as unique members of the Wheeling University community and pursuant to our Catholic values, 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 students' decision to enroll at Wheeling 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 Catholic 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 University community.

Wheeling University believes that all persons are called to lives of chastity and purity. The Catholic Church teaches that sexual activity is properly reserved for a man and a woman who have joined themselves to one another in holy matrimony. Sexual activity of any kind outside of marriage is contrary to our Catholic identity. Conduct that is inconsistent with the University's Catholic mission and values, including obscene, sexually explicit, exploitative, or pornographic conduct, may be subject to review under University policies. The University reserves the right to block pornographic websites and other sites that stand in opposition to our identity as a Catholic institution. Anyone having difficulty with a possible addiction to pornography should contact the Campus Ministry office. The University offers tools and programs to help students who may be struggling with pornography.

Wheeling University believes that all human life is sacred and created by God in His image. We are called to defend, protect, and value human life in all its dimensions, including pre-born babies, the aged, the physically or mentally challenged, and every other stage from conception through natural death.

Appropriate student dress and cleanliness are guiding norms for Wheeling University. Students are expected to dress in a manner that reflects the mission and values of Wheeling University as a Catholic institution. A student's appearance should not disrupt, interfere, disturb, or detract from University activities.

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'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. A student cannot include anyone outside of Wheeling University in the conduct procedures to include electronic communications, verbal communications or written communications. 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 Enrollment & Student Affairs and/or the Vice President and Chief Academic Officer (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. There will be absolutely no audio, video or any other recordings allowed during student conduct hearings.

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 Catholic 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 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 values, including *becoming men and women for others*.

DEFINITIONS

- The term **"University"** shall refer to the community of faculty, staff, and students at Wheeling 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 Enrollment & Student Affairs/Chief Conduct Officer", "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.
- The term "**Student Conduct Board"** refers to a deliberative body composed of faculty, staff, and/or students.

STUDENT CODE OF CONDUCT VIOLATIONS

The following violations of the Student Code of Conduct standards will be processed through the Vice President for Enrollment & Student Affairs and/or their designee. Violations occurring off-campus and in online forums are subject to the terms of the Student Code of Conduct. The starting level of the conduct violation is found at the end of each violation. The conduct level may start at a higher level depending on the severity of the violation. A (+) means the level could start out higher than the level listed.

A. FALSE INFORMATION: Knowingly furnishing false information to or about any University Official acting in performance of their duties. This includes but is not limited to false reporting of emergencies. Level 2 Violation +

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. Level 2 Violation +

C. FALSIFYING DOCUMENTS: Forging, altering, misusing, or creating false document, or the failure to provide accurate and required information on University documents, records, or identification cards. Level 3 Violation +

D. THEFT: The prohibited and unauthorized taking, misappropriation, use, or possession of public or private property belonging to another person or entity. Level 3 Violation +

E. BURGLARY: Any person who breaks and enters, or enters without breaking, any room or building on Wheeling University's Campus with the intent to commit a violation of the Student Handbook or WV Criminal Law. Level 4 Violation +

F. DESTRUCTION OF PROPERTY/VANDALISM: Any intentional behavior which causes damage in a reckless or negligent manner. This includes acts committed with disregard of possible harm to property of others. Students are expected to refrain from behavior which can damage their residence, belongings of others and/or Wheeling University property. Students found doing the following will be subject to judicial action:

1. Inciting to action or participating in unauthorized activities resulting in destruction of University property;
2. Tampering with vending machines, laundry facilities, or causing destruction of any type on or off campus;
3. Damaging or destroying property in rooms, residence halls, cafeteria, or other University facilities; and
4. Removing, damaging or destroying posters, advertisements or signs on campus. Members of individual floors may be assessed cleaning fees or damage charges if those who are responsible do not come forward. Level 2 Violation +

G. KEYS/CARDS: Unauthorized possession, duplication, or use of keys or access cards to gain entry into any University premises or services.

- 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 Safety and Security officers).
- All Keys/Cardinal Cards are the property of Wheeling University and are non-transferable.
- Keys/Cards may not be loaned or given to anyone under any circumstances.
- 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.
- Failure to return keys when a student checks out of the residence hall and before leaving campus will result in fines and replacement costs.
- 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.
- (All Violations) Level 1 Violation +

H. 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 premises during times of University closure. Level 3 Violation +

I. **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. Level 2 Violation +

J. **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. Level 3 Violation +

K. **ALCOHOL:** Violation of the University Alcohol Policy (Please see the Student Handbook's additional policies section: ***Student Code of Conduct - "Violation of the Alcohol Policy"*** Level 2 Violation +

L. **RESIDENCE LIFE:** Violation of Residence Life Policies (Please see the Student Handbook's additional policies section: ***Residence Life & Residence Hall Policies)*** Level 1 Violation + (Depending upon the violation)

M. **INTERFERING WITH CONDUCT PROCESS:** Actions that interfere with or obstruct the Student Conduct Process. Sub-charges may include, but are not limited to:

- FALSE INFORMATION: Falsifying, distorting, or misrepresenting information to the Student Conduct Board or hearing officer.
- 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.
- 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.
- INFLUENCE PERSON: Influencing or attempting to influence another person to commit an abuse of the Student Code of Conduct system.
- 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.
- NO SHOW: Failure to appear at a hearing without prior notification.
- INCOMPLETE SANCTION: Failure to complete an assigned sanction.
- (All violations) Level 3 Violations +

N. **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. Level 3 Violation +

O. **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. Level 3 Violation +

P. **PROHIBITED RECREACTIONAL DEVICES:** Toy guns are not permissible. This includes but is not limited to; orbeez, splatter ball guns, nerf guns, and any other look-alike weapons. Level 3 Violation +

Q. **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, including fire alarms; failure to evacuate University buildings during a fire alarm. Level 3 Violation +

R. **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 of the following categories:

- Any violation of Federal or State criminal law;
- Consuming any food, liquid, Alcoholic Liquid, Drug, or other substance which subjects the student to risk of emotional or physical harm;
- Brutality of a physical nature, including whipping, beating, branding, calisthenics, or exposure to the elements;
- Brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;
- Brutality of a sexual nature; and/or
- Any other activity that creates a reasonable likelihood of bodily injury to the student.
- (All violations) Level 3 Violation +

S. **LOCAL/STATE/FEDERAL LAW:** Violations and/or charges of violations as defined by applicable federal and state law and University policy of any municipal or county ordinance, any law of the State of West Virginia, or any law of the United States. Depending upon the charge, Level 2 Violation +

T. **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. Level 2 Violation +

U. **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. Level 3 Violation +

V. **THREATS/HARASSMENT:** Acts of verbal or written abuse, threats, intimidation, harassment, coercion, fighting words, and/or other conduct which creates an intimidating, hostile, or offensive working, living or educational environment as defined by applicable federal and state law and University policy. This includes, but is not limited to, acts that take place in an online forum or via text messaging. Level 3 Violation +

W. **INFORMATION TECHNOLOGY:** Violation of the ***Information Technology Policies.*** This includes, but is not limited to, misuse of university computer networks, misuse of the Wheeling University alias email accounts and misuse of Wheeling University social media and computer networks. Level 3 Violation +

X. **DISRUPTIVE OR UNPROFESSIONAL:** Disruptive or unprofessional conduct and/or actions that demonstrate irresponsible and/or discourteous conduct individually and/or collectively while participating in a University-related function, on and/or off-campus. Level 2 Violation +

Y. **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. Level 2 Violation +

Z. **DISRESPECTING OFFICIALS**: Threatening, abusive, or obstructive conduct directed toward a University official acting within the scope of their responsibilities. Level 3 Violation +

AA. **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 of communication beyond that of the natural voice and without prior permission from University officials. Level 2 Violation +

BB. **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. Level 2 Violation +

CC. **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) knowing initiating or circulating a false report or warning of an alleged or impending fire, explosion, crime, or other catastrophe, including the unnecessary pulling of a fire alarm d) 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. Level 3 Violation +

DD. **DEFAMATION**: Knowingly making false statements or engaging in conduct that materially harms the rights, safety, reputation, or operations of the University or members of its community. As members and representatives of the Wheeling University community, students are expected to uphold the mission and Catholic values of the institution. This policy includes conduct occurring in person, through electronic communication, social media platforms, online forums, or text messaging. Level 2 Violation +

EE. **WILDLIFE HARM:** Actions or threats of action committed with disregard of possible harm to animals, including wildlife found on campus grounds. Level 3 Violation +

FF. **DINING SERVICES:** Inappropriate behavior within campus dining service venues or events including the failure to follow the directives of dining services workers or unauthorized entry into restricted areas. This list is not limited to: The Benedum Room, The Coffee Show, Das Rathskeller, Catered Events.

- **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.
- **CLOTHING:** Clean shoes and appropriate attire are required when in the dining facilities.
- **TAKEOUT:** Food cannot be removed from the dining facility, unless in an approved take-out container and following the take-out guidelines.

(All Violations) Level 1 Violations +

GG. **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:

- Close windows/doors and turn off lights and electrical equipment if time allows.
- DO NOT use an elevator during an alarm.
- 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).
- After exiting, move 100 feet from the building and follow instructions from the Residence Life staff, Security Officers, and/or Fire Department officials.
- DO NOT re-enter the building unless permitted to do so by authorized fire officials.
- (All Violations) Level 2 Violation +

HH. **DRONE/UNMANNED AIRCRAFT:** The use/operation of drones/unmanned aircrafts are 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. Level 2 Violation +

II. **RECORDING DEVICE:** Undisclosed and unauthorized recording of other individuals within the University community in offices, classrooms, or residential areas. 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 participant's subject to such recording. Level 3 Violation +

JJ. **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 disciplinary actions. Notwithstanding the Drug/Alcohol Amnesty Policy herein. Students who seek emergency assistance for themselves or others in situations involving alcohol or drug use will be afforded the protections outlined in the University's Drug/Alcohol Amnesty Policy. Level 2 Violation +

KK. **EGREGIOUS VIOLATIONS -** Egregious Violations are very serious infractions of the *Student Handbook* and community expectations. They are particularly egregious and concerning enough to warrant disciplinary action regardless of the Level system. Added examples include:

- Sexual assault
- Major drug trafficking
- Violent assault
- Serious threats
- Weapon-related offenses
- Felony conduct

Violations of this nature may result in suspension or dismissal from the University, even if it is a first offense. Level 4 Violation +

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 Office 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, 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 satisfactory 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 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 Community. The Conduct Officer 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 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 Catholic tradition, and/or that severely calls into question a student's suitability as a Wheeling 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 Catholic tradition and/or that deems the student unsuitable as a Wheeling University student. Student behavior necessitates a separation between the student and the University for a specified amount of time with parameters set forth for students' return to campus.

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 Catholic tradition and/or that deems the student unsuitable as a Wheeling University student. Separation is permanent and student behavior is deemed unsuitable to continue at Wheeling University at any time in the future. Expulsion from the University is the only sanction.

Definitions of Conduct Sanctions

- **Disciplinary/Written Warning:** The student is given formal written notice that the student has violated a code of conduct. The warning remains in effect for a specific period of time, as determined by the hearing Conduct Officer. In most instances, students will only receive one written warning for a specified offense during their duration of their time on campus.
- **Educational Sanction and/or Activity:** A student is required to perform a positive action for the University community by completing a campus work assignment, writing a letter of apology, completing an educational program, or an educational reflection and/or paper.
- **Fines:** Fines may be assessed as a punitive measure, and fines 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 through fines will be used to support programming in the residence halls that promote the educational mission of the University. See the Alcohol and Illicit Drug Policy for minimal fines in case of such violations.
- **Guardian/Parental Notification:** A copy of the student's conduct letter is typically mailed to the address on file for parents/guardians of underage students found in violation of the following: Underage Alcohol Possession/Consumption, Drug-related violations, and if a student is recommended to go to the hospital as a result of the Alcohol Overuse protocol being utilized. If the student's behavior warrants Level 3: Probation Status, whenever possible, a conversation (either in person or via the phone) will be held with both the student and their guardian(s)/parent(s).
- **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 students' conduct history.
- **Conduct Probation:** For a 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 organization registered with the University, or hold University paraprofessional employment such as Resident Assistant, 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 Enrollment and Student Affairs and their 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.

CONDUCT HEARING PROCEDURES

Prior to Conduct Hearing:

Any member of the University community may submit a report for consideration by the Vice President for Enrollment and Student Affairs and/or their 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 Enrollment and Student Affairs and/or their designee. Any charge should be submitted in writing as soon as possible following the incident. The Chief Conduct Officer, or their 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, identify the sections of the Student Code of Conduct with which the student is being charged, and include any 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. If a student does not attend a scheduled conference, it will be held in their absence. The student will be sanctioned if found responsible for violating a University policy, even if they did not participate. **Notification will most likely occur via the students' University email account. Students are required to check their email on a regular basis (minimally, every 24 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 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 their own behalf.
    - **Advisor:** Students may request to have an Advisor present at an Administrative Hearing; the Chief Conduct Officer or their 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 their actions. The appropriate Conduct Officer 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 Hearing and Appeals**: This is a formal, audio-taped process conducted by The Office of Title IX or their designee.
- **Summary Hearing:** This is an abbreviated version of an Administrative Hearing that is called by the Vice President for Enrollment and Student Affairs, Chief Conduct Officer, and/or their 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 imposed in cases involving a Summary Hearing. Whenever feasible, students will receive notice of the allegations prior to the hearing. Students will receive written notification outlining the charges, the outcomes of the hearing, and available appeal options.

Hearing Officers:

- **Conduct Officer:** A Conduct Officer has the ability to hear lower level cases and make determinations.
- **Chief Conduct Officer/Vice President for Enrollment and Student Affairs:** The Chief Conduct Officer/Vice President for Enrollment and Student Affairs have the ability to recommend suspension or expulsion to the Chief of Staff.
- **Chief of Staff:** The Chief of Staff is the supervisor of the Chief Conduct Officer/Vice President for Enrollment and Student Affairs.

Case Delegation:

Level 1, 2, & 3 Violations

The Chief Conduct Officer or Conduct Officers 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 the Conduct Board when the student does not have a prior history of going before peer review board and 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 Enrollment and Student Affairs or the Chief Conduct Officer will most likely meet with the student for an administrative hearing concerning the alleged violation and determine the outcome.

Athletics Department Notification of Student Conduct Cases

Student athletes are asked to sign an agreement to allow Student Affairs staff to share conduct information with their coaches. When students sign this agreement, the Office of Student Services has the right 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 Enrollment and Student Affairs and/or their designee will work with the Athletic Director and/or their designee to

review the student's situation and to develop an appropriate response regarding their 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 (5) business days to file a written appeal to the:

Initial Hearing Officer	Appeals will be heard by:
Chief Conduct Officer/Vice President for Enrollment and Student Affairs	Chief of Staff
Conduct Officer	Chief Conduct Officer/Vice President for Enrollment and Student Affairs

Appeals need to be submitted in writing 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 and must identify which of the above grounds they are using as the basis of their appeal. 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 7 business days of the receipt of the appeal. Appeals submitted to the Chief of Staff will be reviewed and decided within ten (10) 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 Enrollment and Student Affairs. In some instances, students appealing a decision may be asked to attend 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 the following 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 matter is remanded for additional review or reconsideration.

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 Enrollment and Student Affairs or their 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 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 Enrollment and Student Affairs and/or their 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 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 and at events which have been pre-approved by the administration. 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 and assuring compliance with the Drug-Free Schools regulations.

Philosophy & Standard of Conduct:

Wheeling University is concerned with both the welfare of the University community and the academic, spiritual, and personal development of each student. The University strives to create a healthy environment where the illegal and/or improper use of alcohol and drugs does not interfere with learning, performance, or development. The abuse of alcohol and/or drugs disrupts the environment and places the well-being of the members of the University community at risk. It is important for all members of the community to take responsibility for preventing the illegal and/or improper use of alcohol or drugs from adversely affecting the community's learning environment and the academic, physical, spiritual, and emotional wellbeing of its students.

Alcohol Policy

The unapproved use or possession of alcoholic beverages on University premises or at university-sponsored activities is strictly prohibited. Any student in the presence of the possession and/or use of unapproved alcoholic beverages on campus premises or at unapproved University-sponsored activities will be held accountable in the same manner as the possessor and/or user of the alcohol. The University Counseling Center and Campus Ministry Office are available to confidentially discuss matters concerning alcohol use.

Counseling Center: 304.243.2081
Campus Ministry: 304.243.2385

Approved Events with Alcohol

Members of the Wheeling University community and affiliated organizations may apply to host events where alcohol is present. Information about the event approval process and event application is available from the Office of Student Affairs. Applications must be submitted at least two weeks in advance of the event.

Tailgating Events with Alcohol

Alcoholic beverages are allowed at approved tailgating events provided that they comply with University policies and local laws. Tailgating events may not interfere with the safe flow of vehicle and pedestrian traffic. Tailgating hosts must be 25 years of age or older and must register in advance of the event by contacting the Office of Student Affairs. Hosts are responsible for ensuring that tailgating events are in compliance with university policies and as required by law. Individuals under 21 years of age are prohibited from using alcohol at tailgating events.

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.
- **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 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, Winter 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 may be subject to University sanctions through the conduct process.

The University cooperates fully with law enforcement authorities. Violations of the Wheeling 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

The Counseling Center and Office of Campus Ministry are available for initial dialogue and for those concerned about alcohol or drug use and can assist students in obtaining substance abuse treatment services if needed and requested.

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 licensure 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.

5.0 Alcohol/Drug Amnesty Policy

Student health and safety are of primary concern at Wheeling University. As such, in cases of intoxication, alcohol poisoning, or drug-related medical emergencies, Wheeling 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 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 Enrollment and Student Affairs and/or their 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 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 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 who 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 their designee or Vice President for enrollment and Student Affairs or their 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 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 Enrollment and Student Affairs and/or their designee and will be subject to sanctions up to and including dismissal from the University.

8.0 Student Code of Conduct - "Violation of the Alcohol Policy"

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.

B. **COMMON SOURCE**: Possession of common source containers, whether full or empty of alcohol such as kegs, beer balls, or boxed wine.

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.

D. **PUBLIC INTOXICATION:** The University will not tolerate public drunkenness when 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. 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 about their breath or person
- behaving in a loud and/or disorderly manner

E. **CONSUMPTION / POSSESSION:** Consumption or possession of alcoholic beverages, including:

i. UNDERAGE CONSUMPTION OR POSSESSION: Consumption or possession of alcoholic beverages by persons under 21 years of age.

ii. PUBLIC CONSUMPTION OR POSSESSION: Consumption of alcoholic beverages or possession of 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, creekbed events, and Ignatius Rock.

iii. PROVIDING OR CONSUMING WITH UNDERAGE STUDENT: Providing or consuming alcohol beverages in a student room in which at least on assigned resident is under 21 years of age and/or persons under the age of 21 are present.

- Students of legal drinking age should see 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.

F. **SALE/DISTRIBUTION:** Sale, distribution, or provision or attempts to sell, distribute or provide alcoholic beverages to or by anyone under 21 years of age.

G. **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 accordance with the University Alcohol Policy.

H. **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 pers 21-year-old assigned resident is allowed. No more than the equivalent of one case (defined as 24–30-ounce bottle/cans of beer/malt beverages) or two liters on 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 beverages (e.g. Four Loko) are not permitted in the residence halls. Additional restrictions on the amount of alcohol 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. **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 maybe subject to immediate housing suspension.

J. **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.

K. **SPONSORED EVENTS:** Violation of the Alcohol Policy at an approved University Sponsored Event.

9.0 Drug Usage Policies

The use, possession, and/or distribution of illicit drugs and/or drug paraphernalia of any kind is prohibited on campus. Wheeling 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 - "Violation of the Illicit Drug Policy":

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

i. PARAPHERNALIA: Possession of paraphernalia including any item typically used to inhale/ingest/inject/mask drugs, regardless of whether the item has been used for illegal purposes.
ii. POSSESSION: Possession of drugs.
iii. USE: Use of drugs.
iv. PRESCRIPTIONs: Misuse, abuse, and/or sale of prescription drugs.
v. DISTRIBUTION: Distribution (any form of exchange, gift, transfer or sale) of drugs.
vi. CO-CONSPIRATOR/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:

On-campus living provides a balance of challenge and support, allowing residents to learn about themselves and others, and to take responsibility for themselves and their development. Residence hall living provides opportunities for student personal growth and development. The Residence Life Staff works to create an environment encouraging academic excellence, spiritual development in accordance with our Catholic identity, 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 **Graduate Residence Assistant** is responsible for the coordination, supervision, and implementation of all operations and their assigned residence hall area.
- **Resident Assistants (RAs):** Resident Assistants are upper-class student paraprofessionals 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 University 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. (https://wheeling.edu/student-life/student-support-services/disability-services/housing-requests/)
- The student is commuting from home (living with a parent or legal guardian) and resides in a designated or approved surrounding county as identified on the Off-Campus Housing Request Form.
- A student is twenty-one (21) 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 the student does not qualify for one of the above waivers and the student still wishes to live off campus, the student will be charged a Housing Fee consistent with

all other students living on campus. In this situation, the equivalent cost of a double room and full meal plan will be added to a student's University bill and the student will be assigned an on-campus room/full meal plan, regardless of whether the on-campus room is occupied by the student. Students should contact both the Financial Aid Office and Student Accounts Office to verify how this will impact the student financially.

The Off-Campus Housing Request Form can be obtained from the Office of Residence Life. Completed forms for each semester must be completed and returned to the Office of Residence Life by Aug. 1 for the fall semester and by Dec.15 for the spring semester. Any requests submitted after these dates will be automatically denied. 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.

Off Campus Housing requests for medical reasons will require the submission of all completed forms to Wheeling University's Disabilities Coordinator at DS@wheeling.edu. Information for Disability Services and required forms can be located at https://wheeling.edu/student-life/student-support-services/disability-services/ A doctor's note does not constitute meeting the required standards of the disability's services. All forms must be properly completed to include the request for Accommodations Form (Wheeling University Healthcare Prover Form Disability due to a Health Condition).

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.

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 Director of Dining Services to discuss their dietary needs; the food service team can accommodate most dietary needs. It is the students' 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 food service provider in order to be approved. Meal Plan information is available from the Office of Residence Life or Aladdin Dining Services (https://wheeling.edudine.com/gtd/). If applicable, meal 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 University.

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/Internet Services:

Campus Wi-Fi is available throughout Wheeling University's campus and can be accessed on smart TVs, Roku devices, smartphones, tablets, and computers. Students can stream television channels anywhere on campus where Wi-Fi is available. Additional information and setup instructions are available through the Office of Student Affairs or Information Technology Services (ITS).

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 will 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 at a cost of $60 per semester; 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 at all times. Students are expected to treat lounges respectfully and maintain appropriate cleanliness after use. Any abuse of these requirements may result in lounge privileges being suspended.

6. Entrance to Student Rooms

1. **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 professional residence life 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 might not be possible.
2. **ENTRY AND SEARCH PROCEDURE:** Whenever possible, entry will be made by at least two people, a professional member of the Residence Life staff and the Director of Public Safety and/or their 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.
    i. 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 immediately.

ii. 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.

iii. 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.

iv. 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.

c) **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 forty-eight (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 conduct process. Residents have 24 hours to rectify certain health and safety concerns discovered and communicated to residents by the 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.

- Prior to each University break period, students are required to unplug all electrical equipment to include appliances, computers, televisions, gaming units, and refrigerators. Any electrical items found to be plugged in during a break period will be unplugged by residence life staff due to fire safety concerns.
- At times frequent maintenance inspections may be completed without notice to ensure that repairs, renovations or upgrades are performing as they should. These inspections will only target those areas.

d) **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.

7. Period of Occupancy:

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 and there is a $25 per day charge.

I. 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.

II. All residence halls are closed during official University holiday periods (e.g. Thanksgiving Break, Semester or 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 other off campus alternatives. Rare exceptions may be made for international students, student from distance who are unable to go home during the break period and students who are staying for official University reasons and sponsored by a University office. For those staying there is a twenty-five dollar ($25) per day charge. Students may NOT stay due to off- campus work, not wanting to go home, or not having 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 twenty-four (24) hours after completion of their last scheduled examination during final examination week or by the official closing time and date of the residence hall, whichever is earliest.

III. No student will receive approval to stay in the residence halls during the break between Fall and Spring semesters if their student account has an unpaid balance.

IV. 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 Officer 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:

Violation of Residence Hall Policies may fall under the student conduct process. Violations may range from Level 1 and upwards. Repeated offense of the same policy will increase the level of the violation and the sanctions imposed.

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, weightlifting and the use of other exercise

equipment (outside of the designated workout areas). Students are also not permitted to use hover boards within the residence halls.

B. APPLIANCES: Wheeling University prohibits the use of electrical appliances that contain exposed heating elements in residence halls.

i. These prohibited items may include, but are not limited to electrical hot plates, space heaters, slow cookers (crock pots), electric frying pans, air fryers, 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.

ii. 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.

iii. Large appliances, portable air conditioning units and electric amplifiers for musical instruments are not permitted in the halls.

C. BICYCLES: Residents may store bikes in their rooms and 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 Office of Residence Life. On occasion, bicycle storage areas may be available in the halls; the building's Residence Life Graduate Assistant can tell you if any such options exist in their particular building.

D. CANDLES/INCENSE: Candles (with or without wicks) and incense are prohibited in the residence halls.

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.

i. **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 open doors) are subject to conduct action, including but not limited to full cost of repair to the security system. Residence Life staff and/or campus security personnel are available to help a student gain access to their residence hall building and/or room when the resident may not have their keys with them.

ii. 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.

iii. 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 resident access to the residential floors of Ignatius Hall.

F. CARE OF ROOMS: Students are responsible for the cleanliness and care of their rooms. Each student will be accountable for any deterioration/damage to 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 who have private restrooms are expected to clean all areas of the bathrooms and remove the trash.

G. CEILING COVERINGS: Due to fire code concerns, ceilings in residential rooms are not allowed to be covered in any way.

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

i. Any residential student, who withdraws, takes a leave of absence, whose academic course load is reduced to less than twelve (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.
ii. Once a student officially withdraws from the University or falls below twelve (12) credit hours (including credit request denial), they will have forty-eight (48) hours to vacate the residence halls from the date of the change in registration or risk being charged with trespassing.
iii. In extenuating circumstances, students enrolled in less than twelve (12) credit hours may be approved to maintain campus residency by the Director of Residence Life.
iv. Students considering adjusting 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.
v. If belongings remain behind after a student has moved out, the University reserves the right to dispose of the belongings as deemed appropriate.
vi. Residential students may be monitored to assure that they are in strict compliance with the Class Attendance Policy. Students out of compliance may be removed from housing, with no entitlement to refund of any housing charges.

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. **CONSOLIDATION:** The Office of Residence Life reserves the right to consolidate rooms, or to change a student's room assignment when necessary. Students are required to find a roommate, or they will be assigned one at the discretion of the Office of Residence Life. If a student fails to find or refuses to accept a roommate, room charges will be adjusted accordingly, and the refusing student will be charged for the cost of a single room.

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":

i. 10:00 PM to 8:00 AM Sunday evening through Friday morning (or during evenings proceeding class days)
ii. 12:00 AM to 10:00 AM Saturday morning through Sunday morning (or during evenings not proceeding class days)
iii. 24-hr Quiet Hours start at 5:00 PM the day before final exams until 5:00 PM the last day of exams. During 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.

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.

i. ***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.

a) ***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.
b) ***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 or fixtures damages, missing furniture, or 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.

c) ***Room Condition Report 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. to switch rooms, at the end the year, etc.). Failure to do so may result in additional charges.

ii. ***INDIVIDUAL DAMAGE CHARGES*****:** The cost of damages that occur within the residential room 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.

iii. ***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 proportionately among students in that floor or residence hall. Students with information about others who may be the cause of community damages should immediately report this information to residence life and/or security staff. Every attempt will be made to hold accountable the responsible person(s) to avoid community damage charges; this requires cooperation from students by providing information helpful in the investigation process.

iv. ***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.

v. ***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 and key replacement.

vi. ***DAMAGE APPEALS*****:** Any contested charges may be reviewed through an appeals process (see the Office of Residence Life for details).

vii. ***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 Public Safety.

viii. ***DECORATIONS:*** Residents are responsible for any DAMAGE caused to the room by decorations.

a) Nails, thumbtacks, tape of any kind, stickers, decals, and any other devices (LED Lights, etc.) which damage paint or wood surfaces are not permitted.

b) Posters and other decorations may be hung on the walls as long as damage to the surface does not result.

c) 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).

d) 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.

e) All material posted in public areas is considered a public display and must be deemed appropriate by the Residence Life Staff. This includes materials that are not in keeping with Wheeling University's mission and Catholic identity.

f) Live trees are not permitted as room decoration due to fire issues.

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. The only exception to this rule would be in the case of medically necessary situations.

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 security officer is prohibited. Interference with or not adhering to emergency evacuation procedures in a residence hall is prohibited.

O. FIRE EQUPMENT- 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.

P. FIRE EQUPMENT- 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.

Q. **FLOOR MEETINGS:** Throughout the year, floor or all hall 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 Graduate Resident Assistant.

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 their 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).

S. **KEYS:** Keys to residence halls and any other University facilities are the property of Wheeling University.

i. **Loaned:** Keys may not be loaned to anyone under any circumstances and are not to be reproduced. Due to high-level security concerns, giving keys to unauthorized others and/or reproducing keys will result in a fine and may result in University and/or housing suspension or expulsion.

ii. **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.

iii. **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.

iv. **Unauthorized Use**: Use of any University keys to enter unauthorized areas is a conduct violation and may result in disciplinary action.

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.

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.

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.

W. **LOFTS:** Self-constructed lofts are not permitted for safety and security purposes.

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.

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

Z. **PETS:** State and University health and safety regulations prohibit pets—including mammals, rodents, reptiles, and insects—in the residence halls, with the exception of non-carnivorous aquarium fish housed in a tank no larger than ten (10) gallons. The only exceptions to this policy are approved service animals and Emotional Support Animals (ESAs) authorized through the Office of Disability Services in coordination with the Office of Residence Life. Students seeking approval for an Emotional Support Animal should refer to the University's Emotional Support Animal (ESA) Agreement and Policy for eligibility requirements, documentation, and approval procedures. Any student found to have a pet on campus in violation of this policy will be subject to student conduct procedures along with being fined $150.00 a day for an unapproved animal. The owner of the unapproved animal will be responsible for removing the animal **immediately** from campus.

AA. ***RECEPTION DESKS*:** Reception desks are located in the entryways 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.

i. 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.

BB. ***ROOM ASSIGNMENTS/SELECTION*:** The Director of Residence Life and/or their designee coordinates room assignments:

i. Each upper-class student may select a roommate during the Room Selection Process each Spring.
ii. Incoming new students may indicate a roommate preference. The Office of Residence Life will grant these requests in so far as they are able.
iii. The Office of Residence Life has the right to assign students to vacant spaces in rooms at any point during the academic year.
iv. Students must be cleared by all University offices before they are permitted to register for and move into housing.

CC. ***ROOM/ROOMMATE CHANGES*:** Roommate changes are not automatic. During the first two weeks of each semester, room changes will not occur, except for in extenuating circumstances; 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. The Director of Residence Life or their designee must approve all room changes. Students that move without approval may be subject to the Student Conduct process.

i. Students with roommate conflicts should first discuss the situation with their Resident Assistant and then with the Residence Life Graduate Assistant of the building.
ii. Relocating is only an option after open communication occurs between roommates and when the problem is deemed not resolvable while continuing the roommate relationship.
iii. Students may be asked to participate in mediation or conflict resolution with residence life staff and/or the University counselor.

DD. ***SINGLE ROOM POLICY*:** In general, singles may be assigned/made available only in the following instances:

i. For documented serious medical reasons as shared with the Office of Residence Life by the Office of Disability Services.
ii. After room consolidation at the beginning of each academic semester.
iii. As space and availability permit.
iv. Other situations that may lead to a student having a single room:

Students living in a double-occupancy room without an assigned roommate will participate in the Consolidation Process, which begins within the first three (3) weeks of the fall semester. This process assists students without roommates in finding compatible roommates. Students who do not attend required consolidation meetings or make a reasonable effort to secure a roommate may be billed the single-room rate, retroactive to the date they became the sole occupant of the room for that semester. The University reserves the right to consolidate students into available double-occupancy rooms as space permits. Students whose roommate withdraws, transfers, graduates, or otherwise vacates the room may be reassigned to another room or assigned a new roommate to maximize housing occupancy and effectively utilize residential space. Additionally, the University reserves the right to reassign or relocate students at any time due to emergency situations, health and safety concerns, maintenance or facility needs, disciplinary matters, or other operational needs as determined by the University.

EE. ***SMOKING*****:** Smoking in the residence halls is prohibited. Smoking on campus is restricted to approved areas.

FF. ***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 Life;

GG. ***THEFT*****:** Report any theft immediately to the Office of Public Safety. The Dean of Students will also be notified. The University does not assume responsibility for personal property kept at the University. **ALL STUDENTS SHOULD**:

i. Keep room doors and windows locked whenever the room is left unoccupied, even for short periods of time.

ii. Clearly mark all personal items with a personal identification number other than your social security number.

iii. Record serial numbers/make of stereo, computers, etc. in a separate, secure location.

iv. Not keep large amounts of cash or other valuable items (such as expensive jewelry) in a residence hall room.

v. Subscribe to private insurance to cover personal property in case of accident, theft, or fire. Parent or guardian's homeowner's/renter's insurance will often cover their student's personal belongings while at college. Please check with your insurance provider for further information.

HH. TRASH: Disposing of trash in unauthorized areas, including leaving trash in lounges, stairwells, or hallways is prohibited. Students should dispose of all garbage in dumpsters located near their residence hall.

II. VISITATION: Wheeling University's policy concerning residence hall guests is designed to encourage the respect of personal space and consideration of others. The guest policy is also intended to promote healthy relationships and boundaries with members of the opposite sex. It is the responsibility of the host/hostess to familiarize his/her guests with University policies and to escort the guest at all times. The student host/hostess is responsible for the actions of the guest and will be subject to disciplinary action is the guest violates any University policy. Wheeling University ascribes to the belief that personal conduct and behavior should be reflective of the character of Christian men and women. As a Catholic university, Wheeling believes the expression of love through sex requires the commitment to marriage. Therefore, the visitation policy is, in part, guided by that value. Privacy hours are times when students can expect their personal areas of residence to be free from members of the opposite sex and/or other visitors, regardless of sex, who may significantly reduce the opportunity for privacy within the residential space. Residents wanting to visit with students and/or guests of the

opposite sex may do so in the common areas of the residence hall. Residential students requesting to have an overnight guest of the opposite sex are required to make arrangements with another residential student (the same sex as the guest) to serve as the overnight host.

"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).

i. Wheeling 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's Catholic identity and 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.

ii. ALL VISITATION POLICIES ARE GOVERNED BY THE FOLLOWING PRINCIPLES:

a) During the academic year, Ignatius, Kirby, Sara Tracy, Campion, and McHugh halls are locked at all times; only residential students and authorized employees have card access to these buildings.

b) The rights of a roommate are respected at all times, particularly as noted above. Roommate rights receive higher consideration than the desires of guests. 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.

c) 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 by providing unauthorized access that may put into jeopardy the safety and security of the building and its residents.

d) Students are responsible for the behavior/actions of their guests at all times; this includes students hosting overnight guests.

e) 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.

f) 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.

JJ. VISITATION HOURS:

i. APPLY TO ALL STUDENTS

a) On Days Preceding Class Days: Guests are permitted from 10:00 AM to Midnight

b) On Days Not Preceding Class Days: Guests are permitted from
10:00 AM to 2:00 AM

ii. Overnight Visitation

a) No opposite-sex or significant other/partner overnight visitation is permitted.

b) Same sex overnight visitation is permitted pending the student host and overnight guest completing the Overnight Visitation Form with Residence Life Staff by 10:00 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.

c) A student may not serve as a host for more than two (2) overnight guests on the same night.

d) Any one person cannot be an overnight guest for more than two (2) consecutive nights nor more than six (6) nights per semester.

KK. **VISITATION- MINORS IN THE RESIDENCE HALLS:** Full-time, enrolled students under the age of eighteen (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 eighteen (18) are permitted in the residence halls without explicit permission from the Office of Residence Life.

LL. 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 requests, may be asked to leave the building, and possibly campus, immediately.

i. 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.

MM. 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

Policy can be viewed: https://wheeling.edu/about/title-ix/

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 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 twenty-four (24) hours or longer without any known reason. The Office of Public Safety, or designee, in conjunction with the Dean of Students, 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 Dean of Students 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, Dean of Students 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 eighteen (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 twenty-four (24) hours after the student is determined to be missing.

4.0 PROCEDURE FOR OFFICIAL NOTIFICATON 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 Residential Director on call, the Director of Residence Life, the Dean of Students, and the Director of Campus Security.
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 Office of Public Safety or their designee will notify the Wheeling Police Department that the University has a missing student. The Dean of Students and/or their 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.

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. Any student found in violation of this policy will be subject to the Student Conduct process and could face suspension and/or expulsion.

PARENTAL NOTIFICATION POLICY

1.0 PURPOSE

Wheeling University recognizes the importance of students' parents and families. We understand that parents play a central role in the moral, spiritual, and ethical development of their college 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 VP Enrollment & Student Affairs, or their designee, reserves the right in their 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 twenty-one (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 VP Enrollment & Student Affairs, and/or their 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 VP Enrollment & Student Affairs and their 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 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 Office of Campus Activities. Residence Life Staff should seek posting approval from the Director of Residence Life. Other University offices should seek posting approval from the Office of Student Affairs. These offices will only stamp the original before copies are made.
b) Events must be posted on the online scheduling calendar, Midas, prior to receiving an approval stamp to post the event information on campus.
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, 304-243- 2390, or reslife@wheeling.edu for more information.
h) All advertisements from outside (off-campus) vendors must receive specific authorization from the Office of Student Affairs 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 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 Dean of Students or the Chief of Staff.

ACADEMIC DISHONESTY & INTEGRITY POLICY

Policy can be viewed: https://wheeling.edu/wp-content/uploads/2023/09/Final-2023-2024-Undergraduate-Catalog.pdf

HARASSMENT POLICY

1.0 PURPOSE

Wheeling 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 students and employees based upon any legally recognized basis.

2.0 POLICY STATEMENT

2.1 Prohibited Harassment

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

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

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 1.1 where such conduct is:

   i. Sufficiently severe, persistent or pervasive that it affects an individual's ability to perform their job functions and/or academic pursuits or creates an intimidating, threatening or abusive work/academic, or extracurricular environment; or
   ii. Has the purpose or effect of substantially or unreasonably interfering with an individual's work, academic or extracurricular performance; or
   iii. Otherwise adversely affects an individual's employment, academic or extracurricular opportunities; or
   iv. 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 their sex and other inappropriate conduct of a sexual nature where:

i. 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
ii. 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
iii. 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.
f) “Stalking” refers to a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others, or (2) suffer substantial emotional distress.

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 they do 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 one or 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 they are 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 Affairs. The individual receiving the report will ensure 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 Affairs 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 (link located below) 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 Office of Human Resources will document, record and evaluate all employee complaints and, if necessary, immediately initiate a formal and impartial investigation. The Vice President for Enrollment and Student Affairs 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 Affairs 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;
   i. Undertake corrective actions including possible suspension or expulsion of the Respondent.
   ii. 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, and the West Virginia Human Rights Commission. Contact information for these agencies and information about the time frames for filing external charges are readily available on 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 Office of Human Resources, in conjunction with the President or his/her 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

Policy can be viewed: https://wheeling.edu/legal/it-policies/

MEDICAL LEAVE OF ABSENCE POLICY

Policy can be viewed: https://wheeling.edu/wp-content/uploads/2023/09/Final-2023-2024Undergraduate-Catalog.pdf

SMOKING POLICY

1.0 PURPOSE

Wheeling 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 non-smokers, the desires of the non-smokers will prevail.

2.0 POLICY STATEMENT

2.1 Definitions

a) "Smoking" includes both tobacco products and electronic smoking devices ("e-cigarettes", vapes, etc.).
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 twenty-five (25) feet of any building entrances, doors and windows 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 twenty-five (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, the Director of Campus Security, Director of Residence Life, Human Resources Director, 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 off premises during nonworking hours.

3.0 AUTHORIZATION

The Office 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.

STUDENT RECORDS POLICY

Policy can be viewed: https://wheeling.edu/wp-content/uploads/2023/09/Final-2023-2024Undergraduate-Catalog.pdf

VEHICLE REGISTRATION AND PARKING VIOLATIONS

Policy can be viewed: https://wheeling.edu/about/public-safety/

ZERO TOLERANCE FOR VIOLENCE POLICY

1.0 POLICY STATEMENT

Wheeling 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.