



# CHAPMAN UNIVERSITY STUDENT CONDUCT CODE

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## Student Conduct Code

Chapman University has standards of behavior that apply to all students and student organizations associated with the University. These standards are set forth as policies in this Student Conduct Code (“the Code”). The Code establishes a system to ensure a fair process to people who believe that the behavior standards have been violated, as well as to students and organizations that have allegedly violated the Code. These established standards, which are upheld through an educational disciplinary process, support the University’s academic mission.

The Code also governs community conduct in order to protect and promote the University community’s pursuit of its educational goals. The purpose of an educational disciplinary process is to maintain a safe, healthy, and educational community for all students, staff, and faculty.

Expression, civility, and freedom of speech are especially important values within an academic community and Chapman’s desire to offer a personalized education. Thus, all topics are appropriate for discussion and debate within the framework of academic inquiry and self-expression. Students and student organizations are free to examine and discuss all questions of interest to them, and to express opinions publicly and privately. They are always free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. At the same time, it is clear to the academic and the larger community that students or student organizations speak only for themselves.

As an institution of higher learning, Chapman strives to maintain an environment in which its students, employees, and guests feel challenged and supported. As a diverse population, we must be able to live, work and learn in a climate of tolerance, civility and respect for the rights, property and sensibilities of others.

## Definition of Terms

- A. **Alternative resolution** – At the request of an involved party, and with the agreement of the other parties, some conduct reported under this policy may be addressed by alternative resolution. The goals of alternative resolution are to address reported behavior, prevent recurrence, and remedy effects without completing a formal investigation and hearing process. It is flexible by nature and tailored to the specific circumstances of a particular case. Alternative resolution will be considered only when consistent with institutional values, legal obligations and the *voluntary*, mutual agreement of all involved parties, including the University.
- B. **Appeals Officer** (may also referred to as appeals body) – any person or persons authorized by the Vice President for Student Affairs/Dean of Students or the Vice President's designee to consider an appeal of a hearing officer/board's determination that a student violated or did not violate the Code.
- C. **Business Day** – any day, Monday through Friday, in which the University is open for full hours of operation, in accordance with the University's official calendars. A business day may occur on days when classes are not in session.
- D. **Cause** – when personal observation or reasonable suspicion suggests that an illegal act or policy violation may be taking place (can be based on sight, smell, statements, or sounds).
- E. **Complainant** – a Chapman student(s), faculty, staff member(s), or student organization(s) alleged to have been the subject of, or harmed by, a student's or group's alleged violations of the Code. University officials may initiate proceedings under the Code on a complainant's behalf. A conduct officer or University Official may act in lieu of a complainant.
- F. **Complaining Witness** – a person(s) who is not a Chapman student, faculty, or staff member alleged to have been subject of, or harmed by, a student's or a student group's alleged violations of the Code.
- G. **Conduct Advisor** – a University official authorized by the Vice President for Student Affairs/Dean of Students or the Vice President's designee to advise students or conduct officers on University policies and procedures pertaining to conduct.
- H. **Conduct Process** – a series of procedures through which the University investigates and addresses behavior alleged to have violated the Code. The conduct process encapsulates the time from the report of the alleged incident through the completion of sanctions (if applicable).
- I. **Community Conversation** – a process/discussion intended to encourage students to examine their behaviors and to develop new approaches and decision-making processes as they examine the impact their decisions have on the larger community and their future goals.
- J. **Cumulative Conduct** – multiple violations of the Code during a student's or group's tenure at the University that will result in increasingly more severe conduct sanctions.
- K. **Dean of Students Hold** – a registration hold placed by the Vice President for Student Affairs/Dean of Students or the Vice President's designee that may prevent a student from registering for classes, adding classes, having transcripts released, and receiving a diploma (in the case of graduating seniors); a hold may further affect a student's ability to conduct any other official University business.
- L. **Designee** – an individual(s) chosen or designated by the Vice President for Student Affairs/Dean of Students to serve in the capacity as a conduct officer, conduct advisor, appeals officer, or administrator of the Code.
- M. **Event** – any program, activity, meeting, retreat, practice, game, social gathering or function with a connection to the University held on Chapman University property or off campus. The Vice President for Student Affairs/Dean of Students or designee shall determine whether a program, activity, function, or social gathering held off-campus is an event.
- N. **Faculty Member** – an individual identified by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.

- O. **Guest** – any person(s) who visits a student on campus, regardless of whether they were specifically invited.
- P. **Hearing Board/Body (may also be referred to as hearing officer or conduct officer/board/body)** – any person(s) authorized by the Vice President for Student Affairs/Dean of Students or designee to determine whether a student(s)/group(s) has violated the Code and to assign sanctions when a policy violation is determined to have been committed.
- Q. **Intimidation** – Implied threats or acts that cause a reasonable fear of harm in another.
- R. **Investigator** – any person appointed by the Title IX Coordinator or Dean of Students/designee to gather information to be considered as part of a hearing or other adjudicative process.
- S. **No Contact Order** – a directive from a University Official that a student may not contact a particular individual. Failure to abide by such an order may result in a conduct proceeding being initiated.
- T. **University Policy or Policies** – written regulations of the University as found in the Code and its appendices, as well as University websites including, but not limited to, Residence License Agreement (RLA), [Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), the [Policy on Sexual Harassment Prohibited by Title IX, Discrimination, Harassment and Retaliation Prevention Policy](#), the Faculty Handbook, Student Organization/Club resource guides, Event Planning checklist, the Graduate/Undergraduate catalogs or handbooks, and any new policies developed and posted.
- U. **Presiding Officer** – an individual authorized by the Vice President for Student Affairs/Dean of Students or the Vice President’s designee to organize, administer and make decisions regarding the proceedings of a hearing within the conduct process.
- V. **Report Number** – a numerical identifier given to written documentation and supporting information (incident report, recordings, evidence, statements, items submitted to conduct body, for consideration, etc.) related to a specific incident.
- W. **Respondent** – the group/individual(s) alleged to have violated the Code.
- X. **Sanction** – assignment given, action taken, and/or status placed on students found responsible for violation of the Code.
- Y. **Staff Member** – an individual employed by the University to conduct University business or who is otherwise considered by the University to be a member of its staff or administration.
- Z. **Standard of Proof** – a decision of responsibility shall be made on the basis of a preponderance of the evidence standard, which is whether it is more likely than not that the respondent violated the Code based on the totality of the information.
- AA. **Student** – all persons taking courses at or through Chapman University (including Study Abroad, travel courses, internships, externships, independent studies, online courses, and off-site study trips) both full-time and part-time, pursuing undergraduate, graduate, or professional studies. Persons who are not officially enrolled but who have a continuing academic relationship with the University are considered “students.” (This includes students not currently enrolled who are making up incompletes and former students still living in University owned housing.) The Code applies to students who have been accepted for admission. The Vice President for Student Affairs/Dean of Students has the discretion to determine whether a non-matriculating student has a right to a hearing.
- BB. **Student Group** (may also be referred to as student, group, or organization) – refers to any number of persons organized in manners including but not limited to: clubs and organizations, Greek lettered organizations, athletic teams, club sports, governing bodies, societies, departmental student organizations or committees, any other University recognized student organization, any student organization seeking University recognition, or any student organization not recognized or sponsored by the University.
- CC. **Support person** – an individual who accompanies a student respondent or complainant during the conduct process. The individual may not be directly involved in the incident or participate in the hearing or conduct process on behalf of a student party. For incidents that are covered by the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual

Harassment Prohibited by Senate Bill 493, this role is defined by [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#).

- DD. **Third Party** – Any individual who is not a University student, faculty or staff member. Third parties may be guests who enter University property or attend a University sponsored event.
- EE. **Title IX Coordinator** – the person designated by the University to coordinate the University's efforts to comply with its responsibilities under Title IX of the Education Amendments of 1972.
- FF. **Threat** – Conduct that causes the reasonable expectation of injury to the health or safety of any person or damage to any property.
- GG. **University** – Chapman University and its affiliated entities, sites, and programs.
- HH. **University Official** – any person charged by the University to perform assigned administrative or professional responsibilities.
- II. **University Premises** – all land, buildings, facilities, and other property owned, used or controlled by Chapman University.
- JJ. **Vice President for Student Affairs/Dean of Students** – position designated by the University President to be responsible for the administration of the Code.
- KK. **Witness** – any person(s) who can be called upon to provide relevant information about an incident in which they are not the respondent or complainant. Witnesses may be excluded from a hearing if:
  - a. They do not have first-hand information about the reported incident;
  - b. They did not respond to or investigate the incident in question;
  - c. They can only provide repetitive information;
  - d. They did not communicate with the respondent or complainant about the incident in question; or
  - e. They can only present information that is deemed to be unnecessary for the deliberation process.

## Conduct Authority

The Vice President for Student Affairs/Dean of Students and designated staff shall develop policies for the administration of the Code and procedural rules for the adjudication of student conduct cases.

Decisions made by a conduct body may be considered a final result, even though an appeal process may be pending.

In exceptional circumstances, the Vice President and Dean of Students may modify the normal structure of the University conduct process based on the particular needs of a pending case.

## Jurisdiction of University and Conduct Regulations

Chapman University shall have jurisdiction over student behavior that is prohibited by this Code that occurs on University premises, at University-sponsored events, or other off-campus locations if it interferes with educational programs or activities or adversely affects the University community and/or the pursuit of its objectives as determined by University officials. If an incident of behavior that is prohibited by this Code occurs off campus is determined to fall under the jurisdiction of the University, it will be handled according to the policies and procedures of the Code.

Students are responsible for their own conduct from the time of application for admission through the actual awarding of the degree, even though conduct may occur on or off-campus, before classes begin or after classes end, as well as during the academic year and during breaks between terms of actual enrollment (even if the conduct is not discovered until after a degree is awarded). The University has continuing jurisdiction over students charged with violating the Code who withdraw from the University while conduct proceedings are still active or pending with regard to that student.

Students are required to engage in responsible social conduct that reflects positively on Chapman University. Students are required to model good citizenship in any community.

Organizations, clubs, teams, club sports, committees, or similar organized student groups, whether recognized or unrecognized by the University, are subject to standards of conduct as set forth in this Code, similar to those for individual students in the University community. Student groups should be fully cognizant that they may be held accountable through the University's conduct process for their behavior and the behavior of the members representing them. They should be fully aware of the University policies, including but not limited to the Student Conduct Code and all related policies of Chapman University. Violations of the Student Conduct Code, whether on or off campus, will be addressed. Group members who violate University policies, including the Student Conduct Code may be held individually and jointly responsible, along with their respective student groups. Members and/or groups who knowingly condone, encourage, or require behavior that violates University policies, including the Student Conduct Code may also be held responsible.

Factors that help determine whether a program, activity, function, social gathering or a student organization event is within the University's jurisdiction include, but are not limited to:

- a. The nature of the event.
- b. Number and nature of guests invited to the event.

- c. Advertising (verbal, and/or written, or on social media) was created and distributed.
- d. The event was announced in a group meeting.
- e. The event is listed in the minutes of a group meeting.
- f. Money from the group was contributed in any way.
- g. Group member(s) collected funds and contributed them in any way.
- h. Group officer(s) and/or advisor(s) involvement in planning, promoting, and/or financing the event.
- i. Group and/or individual members donated item(s) in any way.
- j. A group's activity could be perceived as an event sponsored by said group.

It is important to note that, while group events may not necessarily be considered as official Chapman University functions, such events may still be reported as having violated the Code. If found to be responsible, sanctions may be applied to the group, or any member thereof. If a group is in doubt as to whether a program, activity, function, or social gathering may be considered an event, members are encouraged to contact Student Affairs.

Additionally, Chapman University adopted a Sunshine Policy, as other universities have done, to increase the transparency and bring to light concerning and unsafe behaviors in the Chapman University community by group conduct or activities. Organizations that are found to be responsible for hazing or other kinds of harmful behavior as defined by the Code may have its actions made public. When a fraternity or sorority is found responsible for a violation of the Code, that information will be shared in the [Chapman University Greek Life scorecards](#). A summary of the incidents, charges, and ultimate findings may be posted on the University website. Fraternities, sororities, and other groups that self-disclose harmful behaviors to University officials and eliminate these practices from their programs will have that taken into consideration during the Student Conduct process.

## Conduct Policies

### Student Conduct Policies

1. **Abusive Behavior** – The following behaviors are prohibited:

- Bullying, defined as repeated and/or severe aggressive behaviors likely to intimidate or intentionally hurt, control or diminish another person physically and/or mentally, that is not speech or conduct otherwise protected by the First Amendment.
- Unwarranted and unwelcome intentional physical contact
- Threatening Conduct, defined as, threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person that is not otherwise under the jurisdiction of [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#).
- Intimidation, defined as implied threats or acts that cause a reasonable fear of harm in another.

For separate violations of the Code, see also: Hazing Policy, Violence Policy. For related policies, see also: [Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), and the University's [Policy on Sexual Harassment Prohibited by Title IX](#), and [Discrimination, Harassment and Retaliation Prevention Policy](#).

2. **Academic Integrity** – Chapman University is a community of scholars that emphasizes the mutual responsibility of all members to seek knowledge honestly and in good faith. Students are responsible for doing their own work, and academic dishonesty of any kind will be subject to sanction and referral to the University's Academic Integrity Committee, which may impose sanctions up to and including expulsion. The [Academic Integrity Policy](#) of Chapman University as it pertains to students and to the responsibility of faculty in handling cases of alleged academic dishonesty is further outlined in Appendix 3.

Note: The Academic Integrity Committee and its policies and procedures apply to all Chapman University undergraduate students and graduate students unless otherwise noted. A list of graduate programs that operate with program-specific academic integrity policies is in Appendix 3.

3. **Alcoholic Beverages** – The following behaviors are prohibited:

- The sale, possession, use, consumption, production, purchase, or provision of alcoholic beverages to or by any person under the age of 21.
- Requiring medical attention and/or engaging in disorderly or disruptive conduct due to intoxication causing University officials to respond, even if the subject is over the age of 21. *See Appendix 6 for the Medical Amnesty Policy.*
- Hosting events providing alcohol without first securing authorization from the Vice President and Dean of Students or designee and adhering to the guidelines provided.

- Possessing open containers or consuming alcoholic beverages in any outside location on the University's premises, near any University-owned pool or swimming facility, at events without prior authorization, or in public areas inside University buildings including: residence halls, Davis Community Center, Student Union, campus or residence hall fitness centers, residence hall floor lounges, hallways, or quad areas, except with permission from the Vice President and Dean of Students or designee.
  - Consuming alcohol in a University residence when an individual under the age of 21 is present in the same setting.
  - Being under the age of 21 and knowingly in the presence of alcohol in a University residence hall space regardless of the amount of time spent in that residence hall space.
  - Possessing kegs, common source containers or devices designed for the rapid consumption of alcohol (e.g., beer bongs, funnels.); engaging in behavior (e.g., games like beer pong, flip cup) that promotes the rapid or excessive consumption of alcohol.
  - Providing alcohol with the intent of taking advantage of another.
4. ***Bicycle Operations and Parking*** – It is prohibited to violate the policies and procedures outlined in the University's [Regulations for Bicycle Operations](#) and [Parking Policies](#).
5. ***Breach of Peace*** – As a part of the larger community that surrounds the University, students are expected to abide by all city ordinances and act with respect and civility toward neighbors and their property. The following behaviors are prohibited:
- Individual or group activities that result in disturbance or reasonable distress to others or that cause damage or destruction to property (This may include but is not limited to hosting gatherings with large numbers of people in attendance, gatherings that violate city or county ordinances or laws, guests gathering in yards, sidewalks, or other outdoor areas, etc.).
  - Aiding, abetting, or procuring another person to breach the peace.
  - Entering another's land or property without permission.

Note: Public Safety Officers may videotape exceptionally large, loud and disruptive off-campus gatherings. The resulting videotape may be utilized as information in a hearing regarding potential misconduct by the respondent. If it is alleged that the videotape has evidence of an assault, sexual assault, or other acts of violence, the Vice President and Dean of Students or designee may review the tape as part of its investigation into the allegation and the evidence may be considered under the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493.

6. ***Computer and Network Violations*** – The University's computing and network systems and services, "Chapman Information Resources," are a University-owned resource and business tool to be used only by authorized persons for educational purposes or to carry out legitimate business of the University.

All students agree to abide by the [Chapman University Computer and Network Acceptable Use Policy](#).

This policy applies to all University students using computer and communications technologies, including the University's network, whether personally or University owned, which access, transmit or store University or student information.

7. **Conduct System Abuses** – When participating in the Student Code of Conduct proceedings or the procedures established by the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493, the following behaviors are prohibited:
  - Providing knowingly false, intentionally distorted, or intentionally misrepresented information before a conduct body/hearing officer or University official.
  - Knowingly or intentionally omitting information that would be relevant to the question.
  - Disruption or interference with the orderly proceeding of the process (including the behavior of the student's support person).
  - Initiating a conduct process knowingly without adequate cause.
  - Attempting to discourage an individual's proper participation or use of the process.
  - Attempting to influence the impartiality of a member of a conduct body, hearing panel or appeals body prior to and/or during the course of the proceeding or during an appeals process.
  - Failure to comply with or complete the sanction(s) imposed under the Code.
  - Influencing or attempting to influence another person to commit a violation of the Code.
  - Plagiarism, forgery or alteration of a conduct sanction.
  
8. **Discrimination** – Any conduct that subjects an individual to disparate treatment on the basis of race, color, religion, ancestry, national origin, gender identity, gender expression, pregnancy, marital status, sexual orientation, age, disability, veteran status, or any other classification protected by law. This may include but is not limited to refusing access or admission to educational or social groups or activities on the basis of such protected characteristics. Discrimination in membership selection based on sex is permitted from those organizations exempt from Title IX. See also the University's [Policy on Sexual Harassment Prohibited by Title IX](#), and [Discrimination, Harassment and Retaliation Prevention Policy](#), and [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#).
  
9. **Dishonesty** – Students are prohibited from misrepresenting or obscuring the truth, including but not limited to:
  - Providing knowingly false information or identification, whether written or oral, to any University official, faculty member or University office.
  - Forgery, alteration, or misuse of any University, government, or health document, record, or instrument of identification.
  - Participating in behavior that could be considered fraud, including receiving or attempting to receive payment, services, or academic credit under false pretenses.
  - Tampering with any University recognized election process.

10. **Disruption/Demonstration** – Any activity that interferes with the normal operation of the University or infringes on the safety of other members of the University community including obstructing an academic class or lecture, administrative support function or university event or business. Engaging in classroom conduct prohibited by the faculty member or in violation of law or University policy is also prohibited. See also [Chapman University Statement on Free Speech](#) and [the Classroom Behavior section of the catalog](#).
11. **Egress and Building Safety** – The following behaviors are prohibited:
- Using balconies, sidewalks, stairways and walkways as storage areas in non-residential spaces. For residential spaces, see Balconies, Stairways, and Walkways Safety in Appendix 4.
  - The use of skates, skateboards, bicycles, motorized bicycles, hoverboards, roller skates, in-line skates, or other wheeled vehicles typically used for recreation (see [Bicycle Operations](#) and [Parking Policies](#)) is prohibited in all University buildings, parking structures, stairways, balconies, and in all areas bordering construction zones. Any person skating or riding or propelling a skateboard, skates, hoverboard or wheeled vehicle upon any sidewalk shall exercise due care and shall yield the right-of-way to all pedestrians.
  - Unhooking or removing screens from windows for any reason.
  - Spitting from stairwells, walkways, windows, and balconies.
  - Using windows as entrances or exits to or from buildings.
  - Building structures out of windows.
  - Throwing or pouring items or objects from windows, roofs, or balconies. It is prohibited to hang items such as banners or sheets from roofs or windows or attached to the exterior of any building.
  - Accessing or otherwise being on roofs or fire escapes, building ledges, or overhangs of any University building, scaffolding, or to scale the outside of buildings or on top of any elevators. (See also Balconies, Stairways, Sidewalks, and Walkways within Appendix 4).
12. **Electronic Media Violations** – In addition to conduct prohibited by the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493, the misuse of electronic media devices is prohibited, including but not limited to using mobile phones, tablets, data storage devices, cameras, printers, computers, computer lines/networks or computing facilities in ways that:
- Disrupt classroom or any other academically related proceedings.
  - Engage in any form of academic dishonesty.
  - Send, view, or obtain messages, photos, video that are illegal or otherwise prohibited by the Code on University equipment, or in a University office or classroom setting.
  - Engage in any form of prohibited harassment and/or discrimination as defined by any Chapman policy and this Conduct Code.

- Make an audio, photo, or video record of any person(s) without prior knowledge, or without effective consent when such recording is likely to cause injury or distress, or where the photo or video was made in violation of California laws. This includes, but is not limited to, surreptitiously taking pictures of another where there is a reasonable expectation of privacy, including but not limited to in a locker room or bathroom or other private activities. (See also [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#)).
- Alter or access another's phone voice mailbox, website, social media accounts, other online presence without permission or create social media accounts for someone without permission, or misrepresent another individual's image or voice with the result of falsely attributing something to someone (e.g., deepfake).
- Students may also be subject to conduct charges if it is brought to the University's attention that they posted or distributed material via electronic media (e.g., online social networks like Facebook, Instagram, Twitter, TikTok, or websites, mobile apps, blogs, emails, IM, CDs, DVDs, etc.) that violates the Code.

13. **Endangerment** – Conducting oneself in a manner that, intentionally or accidentally, endangers, or threatens to endanger, the health or safety of other members or visitors within the University community or at University-sponsored or related events is a violation of this Code.

14. **Failure to Comply** – Failing to comply with directions or requests of University officials, including, but not limited to, student volunteers and student employees, staff and faculty, Public Safety officers, or law enforcement officers and contract service vendors (e.g. Sodexo, Aramark and Follett) acting in performance of their duties may be a violation of this Code. Failing to cooperate with University investigations or hearing processes under this Code or willfully resisting, delaying, or obstructing University officials in the discharge or attempts to discharge the duty of their office or employment may also be a separate violation of this Code<sup>1</sup>. Failure to comply with a No Contact Order or terms of an interim suspension or interim measure may also be found to be a violation of this Code. Student organizations or student organization members who fail to comply with directives or policies of their national/international offices may also be held in violation of this Code.

15. **Filming** – Filming without completing the required permit process(es) and obtaining the required approvals (Facilities, Fire & Life Safety, Residence Life and First Year Experience, Events Scheduling Office, Orange Police and Fire Departments, or other city agencies, as well as Dodge College approvals, if applicable) is prohibited. Students who fail to do so will be required to halt their process immediately until the appropriate approval is obtained (not all requests may be approved). Requests for the permit(s) must be completed prior to the start of filming. Students must keep permits with them at all times during filming. (See also electronic media violations and weapons and explosives policy.)

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<sup>1</sup> Individual students who are alleged to have violated the Code are not required to cooperate with University investigations of hearing processes.

16. **Fire Safety and Equipment** – The following behaviors are prohibited:

- Committing arson or creating or causing fire without obtaining prior approval from Fire and Life Safety.
- Causing an unwanted alarm for fire or smoke.
- Careless, negligent, or improper handling of, tampering with or obstructing the fire alarm system, smoke detectors, sprinkler system, emergency exits, carbon monoxide detectors, fire extinguishers, exit signs, and other life safety equipment.
- Failing to evacuate a University building during any fire and/or emergency alarms, including drills; re-entering the building before receiving the all-clear from University staff.
- Failing to report any instance of fire or smoke to Public Safety or other University official.
- Propping open doors in residence buildings with enclosed corridors (e.g. Pralle-Sodaro, Henley, Sandhu Residence Center, The K, and Glass Hall).
- Possessing and/or using candles, incense, oil lamps, helium tanks, fog/smoke machines, butane torches, and other combustible and/or flame-producing items in the residence areas, including items prohibited under Cooking/Kitchens and Electrical Appliances in Appendix 4. Burning candles in any campus building is prohibited (except for those events specifically scheduled through the Fish Interfaith Center and other approved events).
- Artificial trees and potted, live trees are permitted in University residence halls. No cut trees are permitted in the residence halls. Extension cords may not be used for holiday lights or other electric lights or items.
- Possessing and/or using multi-plugs, hoverboards, halogen lamps or extension cords in the residence area. Power strips with surge protectors are permitted but may not be extended by plugging one into another.
- Possessing and/or using fireworks, sparklers, smoke bombs, CO2 cartridges, explosives, flammable chemicals, or other hazardous materials.
- Possessing and/or using barbeques and other outdoor cooking equipment in the residence halls and apartments except those provided by the University. University-provided outdoor cooking equipment can only be used in designated areas.
- Attaching excessive wall coverings or other items to walls and/or ceilings.

17. **Gambling** – Students are expected to abide by federal and state laws prohibiting illegal gambling in person and online. Prohibited activity includes but is not limited to: betting or wagering on any event; possessing on one's person or premises (e.g. room, residence, car) any card, book, document, or other device for registering bets; using or permitting the use of one's premises or one's phone, electronic devices, social media accounts, or online identity for illegal gambling; offering or accepting a bribe to influence the outcome of an event; and involvement in bookmaking or wagering pools with respect to events. Gaming events, including but not limited to casino nights and poker events, are prohibited without the authorization of the Vice President and Dean of Students or designee.

18. **Guests** – Having guests on campus is a privilege. Guests must comply with University policies at all times. Guests are defined as any person(s) who comes onto campus to visit a student or

students, regardless of whether they were specifically invited. Students are responsible for the behavior of their guests. This includes any possessions that the guest brings onto campus that violate University policy (e.g., weapons, illegal substances, alcohol, or paraphernalia).

Students need to accompany their guests during their guests' stay on campus. Students will be held fully responsible for their guests and will be subject to the Conduct Code and sanctions for the behavior of their guests. Expectations for guests are as follows:

- Guests who violate University policy may be immediately removed from campus and may be forbidden from entering Chapman University property or attending University events.
- Guests are required to provide their name and show appropriate identification (government-issued ID, other photo ID) to a University official upon request. If guests do not have identification, they may be asked to leave or escorted off campus.
- With the permission of the student's roommate(s), a student's guests may be housed overnight in the hosting student's assigned on-campus residence no more than three nights per semester.
- Any University official has the right to request a guest to leave University property.
- Students and their guest(s) may be restricted from the residential areas and/or immediately removed from the residential areas if they have, or are suspected to have, violated any University policy.
- Residential guest(s) must be registered by their host via the [Residence Life and First Year Experience website](#). Guest(s) will receive a confirmation form they must have with them at all times during their visit. Guests must present this confirmation form to a University official upon request, along with identification.

Note: This policy may be modified as needed to account for health and safety concerns.

19. **Harassment of Other Students or Student Groups or Third Parties** – Harassment is defined as unwelcome conduct on the basis of actual or perceived membership in a class protected by policy or law. Students are prohibited from engaging in harassment under this Code. The University will act to remedy all forms of harassment on the basis of a protected category when reported, whether or not the harassment rises to the level of creating a “hostile environment.” Specific forms of prohibited conduct include:

Harassing conduct by a student (e.g., physical, verbal, graphic, or written) that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the services, activities or privileges provided by a recipient.

For the purpose of this Code and in addition to the conduct prohibited by the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493, “sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- a. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

- b. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

When harassment rises to the level stated above, the University may invoke the Code of Conduct process below. The University reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level stated above, or 2) that is of a generic nature and not based on a protected status. Addressing such conduct will not result in the imposition of discipline under this Code but may be addressed through respectful conversation, remedial actions, education, effective Alternative Resolution, and/or other informal resolution mechanisms. For assistance with Alternative Resolution and other informal resolution techniques and approaches, employees should contact the Equal Opportunity and Diversity Officer, and students should contact the Director of Student Conduct.

20. **Harassment of University Employees** – The University prohibits students from harassing employees on the basis of actual or perceived membership in a class protected by policy or law. This is defined as any unwelcome behavior that is reasonably regarded as offensive that is based on a protected category listed above that:
  - Sufficiently offends, humiliates, distresses, or intrudes upon its victim, so as to disrupt the victim’s emotional tranquility in the workplace, or
  - Affects the victim’s ability to perform the job as usual, or
  - Otherwise interferes with and undermines the victim’s personal sense of well-being.
  
21. **Hazing** – Hazing is defined as any method of initiation or preinitiation into, or condition of continued membership in, a student organization or student body, regardless of whether the organization or body is officially recognized, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to any former, current, or prospective student. Such prohibited actions, methods, or situations created include but are not limited to:
  - Any form of physically demanding activity (calisthenics, runs, etc.) not part of an organized voluntary athletic contest or not specifically directed toward constructive work.
  - Paddling, shoving or otherwise striking individuals.
  - Intentionally deceiving new members prior to initiation to make them believe that they will not be initiated or will be mentally or physically harmed.
  - Forcing, requiring or pressuring individuals to wear, carry, or publicly display any article or apparel, especially items which are unusual, uncomfortable, degrading or physically burdensome (e.g. wooden paddles, painted rocks, T-shirts with degrading slogans or names, notebooks, etc.). It is understood that while students may choose to wear pledge/associate member pins, compelling students to wear pledge class t-shirts, pins, or other apparel that is inappropriate or violates the University’s [Policy on Sexual Harassment Prohibited by Title IX](#), and [Discrimination, Harassment and Retaliation Prevention Policy](#), the [Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#) or the Code is hazing.

- Depriving individuals of the opportunity for sufficient sleep (six hours continuous sleep per day minimum), decent edible meals, or access to means of maintaining bodily cleanliness.
- Activities that interfere with an individual's academic efforts by causing exhaustion, loss of sleep, or loss of reasonable study time or by preventing an individual from attending class or other academic requirements.
- Having substances (e.g. food, trash, etc.) thrown at, poured on, or otherwise applied to the bodies of individuals.
- Morally degrading or humiliating games or any other activities that make an individual the object of amusement, ridicule or intimidation.
- Such activities as: new member only scavenger hunts, transporting individuals against their will, abandoning individuals at distant locations, or conducting any "kidnap," "ditch" or "road trip" that might in any way endanger or compromise the health, safety or comfort of any individual.
- Causing an individual to be indecently exposed or exposed to unsafe levels of cold or heat.
- Forcing, requiring, or pressuring individuals to engage in sexual behavior or sexual misconduct (e.g. stripping, streaking, flashing, suggestive dancing, etc.).
- Forcing, requiring, or pressuring a person to become branded or tattooed.
- Activities that require a person to remain in a fixed position for a long period of time.
- Forcing, requiring, or pressuring individuals to consume alcohol or drugs.
- Forcing, requiring, or pressuring individuals to eat or drink foreign or unusual substances or forcing, requiring, or pressuring the consumption of undue amounts or odd preparations of food or beverages, including water.
- "Line-ups" involving intense or demeaning intimidation or interrogation, such as shouting obscenities or insults.
- Assigning activities (pranks, scavenger hunts, etc.) that compel a person to deface property, engage in theft, or harass other individuals or organizations.
- Tests of courage, bravery or stamina.
- Intentionally creating a mess and compelling individuals to clean it up.
- Dietary restrictions of any kind.
- Forcing, requiring, or pressuring individuals to clean up others' residential assignment or off-campus apartment/house or to perform other work or services; compulsory servitude (which includes, but is not limited to, service "auctions"); work projects without the participation of the full membership.
- Forcing, requiring, or pressuring individuals to hand over or eliminate access to or their phone, tablet, or computer for any period of time.
- Forcing, requiring or pressuring individuals to shave (or remove hair from) any part of the body (including head shaving or haircuts).
- Forcing, requiring or pressuring an individual to tamper with or damage University property.
- Exposure to the elements.
- Requiring members to escort each other or active members.
- Requiring the answering of phones or doors with songs, chants, or riddles.
- Requiring yelling or screaming upon entering or leaving a facility.
- Verbal harassment, including yelling and screaming.
- Morally degrading or humiliating games or activities.

- Excluding an individual from social contact for prolonged periods of time.
- Depriving students of “sense of awareness” (sight, sound, etc.), imposition of many hours of silence, during which time individuals may not speak while going about their daily routines, or any similar actions which may cause mental and/or physical stress.
- Any activity that is perceived or implied mandatory for new members only and is not educational in nature.

22. **Identification** –The following behaviors are prohibited:

- Failing to show appropriate identification to a University official upon request. Students must carry their University identification with them at all times when on University property or at University functions
- Falsely identifying oneself or others.
- Possession, production, or distribution of false identification cards, or materials to fabricate such. Any false identification cards found to be in the possession of students or guests will be confiscated and destroyed and may result in a citation from law enforcement.

23. **Illegal/Controlled Substances** – The following behaviors are prohibited:

- Use, possession, sale, distribution and/or production of narcotic or other controlled substances (including marijuana), or acting as an accessory, liaison, or facilitator for any of the above, except as expressly permitted by law.
- Engaging in disorderly or disruptive conduct due to substance misuse causing University officials to respond and/or seek medical intervention, even if the subject legally consumed the substance. *See Appendix 6 for the Medical Amnesty Policy.*
- The possession or use of marijuana or derivative products containing 0.3 percent or more THC on a dry weight basis, even with a medical recommendation or medical license, is prohibited on University property in compliance with federal law.
- Any drugs and/or paraphernalia found to be in a student’s possession, University residence, vehicle, or assigned area will be considered to be in the possession of the student whether or not the student is the individual who purchased or furnished the drugs, paraphernalia, or handmade drug use device. Confiscated paraphernalia will not be returned to students at any time.
- Being in the presence of and having knowledge of an illegal substance in a University residence regardless of the amount of time spent in that residence.
- Illegal or improper use of prescription or over-the-counter medicines, even where lawfully prescribed. All prescription medicines must be kept in their original bottle and must have the prescription from the doctor noted on the bottle. Prescription medicines found without their prescription attached will be confiscated until such time that the prescription can be produced. All prescription medications must be prescribed to the person in possession of the medication.
- Possession of drug paraphernalia (i.e., rolling papers, pipes, bongs, etc. for intended or implied use of any form of illegal substance) regardless of whether it is purchased or handmade, even as props for filming.

- Possessing paraphernalia that contains or appears to contain any form of an illegal substance.
- Use of a legal substance in an improper manner (e.g. ingesting a cleaning chemical, inhaling other chemical substances for the purpose of intoxication).
- Providing drugs with the intent of taking advantage of another.
- Using mail services to purchase, pass, or distribute illegal substances.

24. **Keys and Unauthorized Entry/Exit** – Rooms must be reserved and approved by the Event Scheduling Office prior to their use. Use of and access to University residence hall rooms or apartments must be approved by Residence Life and First Year Experience for a set period of time, and any access or use of those spaces outside of the specified time frame will be considered a violation of this policy.

The following behaviors are prohibited:

- Unauthorized/improper creation, possession, duplication, or use of University keys or Chapman ID cards.
- Unauthorized/improper entry to or exit from or use of University premises.
- Tampering with any locking device on campus, including security gates and doors.
- Loaning out keys or Chapman ID cards that have been issued for individual use.

25. **Lewd/Indecent Behavior** – In addition to conduct that is prohibited under [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), the following behaviors are prohibited:

- Urinating or defecating in areas other than toilets and urinals (including lawns, lounges, elevators, stairwells, balconies, parking lots, etc.).
- Public nudity.
- Engaging in intimate sexual contact in or within plain sight of common or public areas.
- Public viewing or displaying of pornography.

26. **Parking and Vehicle Policy** – It is prohibited to violate the policies and procedures outlined in the University's Parking Policy. (See also regulations for [Bicycle Operations](#) and [Parking Policies](#).)

27. **Posting Policy** – Posting procedures may be found in Appendix 7. Additionally, individual departments may have preferred posting methods. Please refer to the appendix and be considerate of those who manage the facilities in which you plan to post. Failure to follow posting procedures may result in the removal of postings by University officials without notice and conduct review. The following is prohibited:

- Note: Please see Appendix 7. Postings that violate the University's [Policy on Sexual Harassment Prohibited by Title IX](#), and [Discrimination, Harassment and Retaliation](#)

[Prevention Policy](#), or [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#).

- Destroying or removing others' postings. The removal or destruction of postings is a violation of the Property Damage/Vandalism policy and may also constitute a violation of the abusive behavior and discrimination policies under certain circumstances.
- Posting in such a manner that covers up or obscures previous postings. Such actions may also constitute violations of the Disruption/Demonstration policy, the property damage/vandalism abusive behavior, and/or discrimination policies under certain circumstances.

See Appendix 7 for additional information on posting guidelines. The Vice President for Student Affairs/Dean of Students Office or designee reserves the right to remove any postings which it determines fails to meet all the stated criteria.

28. **Property Misuse/Damage/Vandalism** – Destruction, damage, misuse, and/or defacing of University, personal, or public property is prohibited.

Note: It is strongly recommended that students purchase private insurance for their personal possessions, as the University will not be responsible for reimbursing or requiring others to reimburse a student for destruction, damage, misuse, and/or defacing of their personal property. See also Damage to Room and Common Areas in Appendix 4.

29. **Residential Life Violations** – It is prohibited to violate the policies and procedures outlined in the Residential License Agreement and/or established University policies or procedures regarding the proper use of University-owned or administered property (See Appendix 4: Residence Life Policies and Procedures).

30. **Restaurant Services Violations** – The following behaviors are prohibited:

- Obtaining food or beverage on the meal plan (not Pantherbucks) for other students or guests without prior approval of Restaurant Services management.
- Using another student's identification card for the purpose of obtaining food or beverage without the prior approval of Restaurant Services management.
- Removing plates, bowls, serving ware, silverware, glassware, condiment containers, or other dining materials from any campus dining or restaurant facility.
- Removing food from an in-service dining operation.
- Failing to return dishes to the dish return area prior to leaving the dining facility.
- Gaining access to the dining facility without paying entrance fee.

31. **Retaliation** – Retaliation is an adverse action taken against anyone for reporting, supporting, or assisting in the reporting and/or adjudication of any of the behaviors prohibited in this Code, the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493, or any other University policy, or against anyone

perceived to be involved in any of these actions. Retaliation may include intimidation, violation of a No Contact order, harassment, efforts to impede an investigation, or filing a false or bad faith cross-complaint. Retaliation under this Code is prohibited by University policy, state, and federal law. Retaliation is a violation of policy regardless of whether the underlying complaint is found to be a violation of policy.

32. **Sexual Misconduct** – Any prohibited behavior defined in [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#) that does not fall under the jurisdiction of that policy may be handled under this Code. This includes dating violence, domestic violence, sexual exploitation, sexual harassment, and stalking. The prohibited conduct defined in [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#) shall be used. The affirmative consent definition shall also apply. The requirements of the 2013 VAWA Amendments to Clery shall apply.
33. **Smoking** – The use of cigarettes, e-cigarettes, cigars, water pipes, smoking pipes, vaping pens or devices, hookahs or any other combustible or smoke-generating products or devices is prohibited on campus, including in all outdoor areas of the campus.
34. **Soliciting** – Door-to-door sales, fundraising, and/or promotion on campus are prohibited except as approved by the Vice President for Student Affairs/Dean of Students Office, Student Engagement, or Residence Life and First Year Experience.
35. **Stalking** – For conduct that is not covered by [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), this Code also prohibits repetitive and menacing behavior towards another, or pursuit, tracking, surveilling, or harassing another in such a way that would cause a reasonable person, under similar circumstances and with similar identities, to fear for their safety or the safety of others, the safety of their property, or to otherwise suffer substantial emotional distress.
36. **Theft** – Attempted or actual removal of personal or University property from the owner's possession or premises without prior permission is prohibited. University property includes but is not limited to signs, lounge furniture, office furniture and equipment, classroom furniture and equipment, residence hall furniture or outdoor furniture owned by the University, and property and services under the control of Restaurant Services.
37. **Violation of Law** – Any violation, of federal, state, or local laws may subject a student to the University conduct process unless otherwise addressed by a more specific policy, such as [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#).

38. **Violence** – For conduct that is not covered by [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), the following behaviors are prohibited:
- Any act of violence or threat of violence.
  - All physical abuse, including physical assault and/or battery as well as any domestic violence, hate crimes, and/or child, elder, or animal abuse.
  - Any act of violent destruction of property.
39. **Weapons, Explosives, and Hazardous Materials** – Possession of weapons on University property or at University-sponsored events is prohibited. The following are prohibited:
- Any type of firearm, BB pellet gun, paint gun, realistic facsimile of a weapon or any counterfeit item, stun gun, and/or Taser-type weapon.
  - Ammunition, including rounds, casings, shells, clips, magazines, and paint pellets and cartridges.
  - Switch blades and any blade over 3 inches that is not designed and used for food preparation or eating.
  - Bows and arrows.
  - Martial arts weapons.
  - Brass knuckles.
  - Slingshots and water balloon launchers.
  - Explosive devices, all fireworks and sparklers (including safe and sane fireworks).
  - Dangerous chemicals or other hazardous materials.
  - All other weapons listed in the California Penal Code section 16590, and/or other weapons considered dangerous on University premises or at University-sponsored events.

Note: Possession of “prop” weapons or replica weapons, by students who have not secured prior approval for use/possession of the weapon(s) for a specific academic or approved activity is a violation of this policy and will be subject to conduct review. For approval processes for use/possession of prop or replica weapons for use in student films, contact the Dodge School of Film and Media Arts. For use/possession of weapons for educational, cultural, or spiritual events, contact Fire and Life Safety.

40. **Other Violations** – Violation of any other published University policies, rules or regulations, including those implemented during the academic year, is prohibited. See [the University Policies website](#) for further information.

### **Violations of Law and University Conduct**

It is the student’s right to report an incident to appropriate law enforcement agencies and/or University officials. The University reserves the right to contact law enforcement agencies for any violation(s) of local, state, or federal law(s). Specific violations of the law in which local authorities may be involved include, but are not limited to, those that are related to drugs, alcohol, assault and battery, sexual

assault, dating violence, domestic violence, stalking, trespassing, weapons/explosives, hazardous materials, and possession of false identification. Except for mandatory reporting required by law, in incidents of sexual assault or battery, no identifying information will be provided to law enforcement if the victim wishes to remain anonymous.

If a student is charged with an off-campus violation of federal, state or local laws, conduct charges and proceedings may still be instituted and sanctions imposed for misconduct that involves members of the University community or demonstrates flagrant disregard for the safety of the University community.

University conduct proceedings may be instituted against a student charged with violation of a law in connection with conduct that is also a violation of the Code or [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), such as when both violations may result from the same factual situation, without regard to the pending status of civil litigation in court or criminal arrest and prosecution. Proceedings under the Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. Proceedings under [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#) will be carried out first. Any factual determinations from external proceedings or the Student Sexual Misconduct process shall be used when proceeding under the Student Conduct Code and shall eliminate the fact-finding steps of the Code. Determinations under the Code shall not be subject to change because criminal or civil charges arising out of the same facts were dismissed, reduced, or resolved in favor or against the criminal law defendant.

When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration in the criminal proceeding for that individual because of the individual's status as a student. If the alleged offense is also the subject of a proceeding before a conduct body under the Code or [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), however, the University may advise off-campus authorities of the existence of the Code or [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#) and of how matters will be handled internally within the University community. The University will cooperate as fully as is legally possible with law enforcement and other agencies in the enforcement of criminal law on campus within the Family Educational Rights and Privacy Act (FERPA) or any other appropriate federal or state guidelines (See Appendix 2: FERPA) and on the conditions imposed by criminal courts for the rehabilitation of student violators. In addition, the University is required to comply with a court order or lawfully issued subpoena in connection with any criminal or civil matter.

## **Student Conduct Code Procedures**

### **Conduct Correspondence**

All conduct letters will be sent through electronic transmission using the University-provided email address (username@chapman.edu). The delivery of the electronic transmission to a student's Chapman email addresses will serve as verification that notice has been given. It is the student's responsibility to regularly check their assigned Chapman email account.

## **Interim Suspension**

In certain circumstances, the Vice President for Student Affairs/Dean of Students or designee may impose a University or residence hall interim suspension prior to a hearing before a conduct body. Interim suspensions for allegations of conduct that fall under [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#) shall be handled in accordance with that policy.

Interim suspension may be imposed under this Code when any of the following conditions exist:

- a. When the safety and well-being of the University community or University property is threatened or at risk.
- b. If the student or student group poses a definite threat of disruption of or interference with the normal operations of the University.

During the interim suspension, students may be denied access to residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible. The University may refuse to release official transcripts until the matter is resolved through a conduct hearing.

A Notice of Interim Suspension will be sent and immediately followed by the initiation of an investigative process.

A student who is suspended for an interim period will be provided an opportunity to respond to the imposition of an interim suspension at a meeting with the Vice President for Student Affairs/Dean of Students or designee no later than 5 business days following the effective date of the Interim Suspension.

The Interim Suspension may remain in effect or be reduced to a restriction until a final decision has been made on the pending allegations or until the Vice President for Student Affairs/Dean of Students or designee determines that the reasons for imposing the interim action no longer exist.

Interim Suspension does not replace the hearing process, which shall proceed on the ordinary schedules as described in the Code.

## **Reports and Charges for Incidents Not Covered by the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493**

Any concerned party may report an alleged violation of the Code by a student or student group. For more information regarding filing a report, contact the Vice President for Student Affairs/Dean of Students Office, Public Safety Office, or Residence Life and First Year Experience. While all are encouraged to make a report, only students as defined by this Code and the University shall have standing as a party in any process under the Student Conduct Code. Reports will be directed to the Vice President for Student Affairs/Dean of Students or designee for review.

Aside from highly exceptional circumstances, any report should be submitted as soon as possible after the alleged violation(s) takes place, but not to exceed 6 months following discovery of the incident. Exceptions include:

- Potential hazing incidents

- Potential [academic integrity](#) incidents
- Alleged sexual misconduct that falls outside the jurisdiction of [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#)
- Any other behavior that may pose a serious threat to any member of the University community

The Vice President for Student Affairs/Dean of Students or the Vice President's designee may conduct a preliminary investigation to determine if the allegations of misconduct have merit, and/or request additional information to support the allegations. If the allegations are deemed to be without merit, such determination shall be final and there shall be no subsequent proceedings. If the allegations are deemed to have merit, the Vice President for Student Affairs/Dean of Students or designee will refer the case to the appropriate conduct body to hear the matter, resolve through a community conversation, or dispose of the matter administratively by mutual consent of the parties.

Respondents and complainants (when applicable) will be notified of the policies alleged to have been violated and any resulting hearing proceedings at least 3 business days prior to the hearing (or a shorter time by mutual consent).

Students will receive notification of charges, instructions for scheduling a hearing (which should be scheduled by the deadline indicated in the notification letter), or a scheduled hearing date and time. If the student is requested to schedule the hearing and has not scheduled a hearing in a timely manner, the University shall schedule the hearing and advise the student of its occurrence. In this situation, a request to reschedule will be at the discretion of the conduct officer.

In the event of documented extenuating circumstances, a student may request to reschedule a hearing. This request must be made no later than 2 business days prior to the originally scheduled hearing and is at the discretion of the conduct officer.

Preferred time limits for scheduling of hearings may be extended at the discretion of the Vice President for Student Affairs/Dean of Students or designee. Exceptions to this time frame include holidays, semester breaks, final exam periods, and summers, in which case the hearing will be held by the Vice President for Student Affairs/Dean of Students or designee, or the hearing will be conducted as soon as a conduct body can be convened.

The University will provide the respondent or complainant the report(s) that pertain to the charges of the particular case. The names of other individuals involved in the incident may be redacted in order to protect their privacy. A respondent or complainant may request to review an unredacted version of the report in person under the supervision of the Vice President for Student Affairs/Dean of Students or designee. Any other information presented (e.g. pictures, videos, voice recordings, etc.) may be reviewed in person and under the supervision of a conduct officer or designee.

Should either party believe that additional materials and/or information that is under the control of the University is necessary to prepare for the hearing, the party may contact the conduct officer or Director of Student Conduct to request that the University seek such information/materials. Requests for information and materials will be reviewed by the conduct officer or Director of Student Conduct and may be denied if unfairly prejudicial or not probative of the disputed facts or to the determination of the case. Should such documents or information be provided, they shall be provided to both parties. Such requests must be made at least 2 business days prior to the hearing.

Should the respondent or complainant desire that a witness participate in the hearing, a request must be made in writing to the conduct officer or Director of Student Conduct at least 2 business days prior to the hearing. The request will be reviewed by the conduct officer or the Director of Student Conduct and may be denied if unfairly prejudicial or not probative of the disputed facts or to the determination of the case.

At no point may conduct proceedings or meetings be recorded by any party other than the conduct officer(s) other than with written permission from the Vice President/Dean of Students or designee.

Related witness statements and any other pertinent items shall be made available to the respondent and complainant for review at least 1 business day prior to the hearing date (when applicable).

If a respondent and/or a complainant has concerns about a conduct officer's ability to render a fair, impartial, and objective decision, a request for the removal of that conduct officer must be made in writing to the Director of Student Conduct or Vice President for Student Affairs and submitted at least 2 business days prior to the hearing. The request must explain the basis for the belief that the conduct officer should be removed. It shall be up to the Vice President/Dean of Students or designee to determine whether the conduct officer in question can render a fair, impartial and objective decision. Should a conduct officer be removed, another hearing officer shall take the place of the removed conduct officer.

### **Reports and Charges for Incidents Related to the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493**

Please see [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#). Conduct that does not fall under the jurisdiction of that policy may be adjudicated as a separate Code violation.

### **Community Conversations and Hearings or Incidents Not Covered by the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493**

#### ***Community Conversations***

Community conversations shall be conducted by a conduct officer according to the following guidelines:

- Community conversations shall be conducted in private.
- Students have the opportunity to accept responsibility for violation(s) of the Student Conduct Code in a Community Conversation. If both the student and the conduct officer agree on the violation(s), the student may opt to waive their right to a formal hearing and elect to discuss appropriate sanctions in the Community Conversation.
- All sanctioning determinations will consider the finding(s) of responsibility and a student's cumulative conduct history.
- In the event that the conduct officer and student do not agree on the outcome (either responsibility for violations or sanctions) or the student does not appear for a community conversation, the incident will be forwarded for a conduct hearing.

- Should new charges surface as a result of, or during, a Community Conversation, and no additional investigation is needed, the charges may be verbally introduced and discussed during the current Community Conversation.

### **Hearings**

Hearings shall be conducted by a conduct officer according to the following guidelines:

- Hearings shall be conducted in private.
- Admission of any person to the hearing shall be at the discretion of the conduct officer.
- In hearings involving more than one respondent, the presiding officer or conduct officer(s), at their discretion, may permit the hearings concerning each student to be conducted together with the consent of all relevant parties.
- The complainant and the respondent may each be accompanied by one support person at the hearing, as previously defined in this Code.
- The complainant and/or the respondent each are responsible for speaking on their own behalf. Support persons may not participate directly in the hearing other than quiet communication with the student they are accompanying. This communication must not interfere with the conduct process. Failure to comply will result in the removal of the support person. During a hearing, the complainant and/or the respondent may request brief recesses to consult with their support persons. These requests may be granted at the discretion of the conduct officer/hearing board but will not be granted in excess such that it unreasonably impacts the hearing process.
- Except as provided in this section, the presence or participation of attorneys at hearings or otherwise in the process is not permitted, as the conduct proceeding is not meant to function as a court of law. An exception may be made only where the respondent has been charged with a crime arising out of the same operative facts as the charge under the Code and the criminal charges are presently pending.
- Where an attorney is permitted, the attorney must conform to the same requirements as applied to a support person.
- With reasonable written notification to the conduct body (2 business days prior to the hearing), the complainant and the respondent shall have the opportunity of presenting witness statements, provided the statements contain information directly related to the incident in question. If witnesses are permitted or requested by the conduct officer(s) to attend a hearing, the other party shall have the opportunity to submit suggested questions for the witness(es) to the conduct officer(s). The conduct officer(s) retains the authority to determine which questions will be helpful in deliberation, and may exclude questions that are not helpful, including but not limited to questions that are unfairly prejudicial, repetitive, confusing, compound, argumentative, misleading, or not probative of the disputed facts or to the determination of the case.
- Any pertinent materials and written statements must be submitted for consideration to the conduct body at least 2 business days prior to the hearing.
- All procedural questions are subject to the final decision of the conduct officer in consultation with the Vice President for Student Affairs or designee (when applicable).
- After the hearing, the conduct body or conduct officer(s) shall excuse all parties, engage in deliberation, and determine (by consensus, or if necessary, by majority vote) which portion(s) of the Code, if any, the respondent has violated.
- The conduct officer's determination shall be made based on whether it is more likely than not that the respondent violated the Code.
- The conduct officer(s) shall make determinations regarding the respondent's responsibility for violations of the Code based solely upon material presented at the

hearing. All sanctioning determinations will consider the finding(s) of responsibility and a student's cumulative conduct history.

- Should new charges surface as a result of, or during, a conduct process, and no additional investigation is needed, the charges may be verbally introduced and heard during the current hearing.
- Hearings shall ordinarily be recorded (the deliberation phase is exempt) although written notes may serve as a substitute. This record shall be the property of the University. Student respondents or complainants at the hearing are free to take their own notes, but they may not use a recording device. Hearing records are confidential.
- Formal rules of process, procedure and/or technical rules of evidence, such as applied in criminal or civil court, are not used in Code proceedings.

Note: Students charged with violations of the Code during Study Abroad, Interterm or other travel courses will be notified of the charges and have the opportunity to respond to those charges, as well as the opportunity to appeal the outcome of their cases. However, the condensed duration of these courses and the limited availability of on-site administrators may necessitate a modified conduct process in some situations.

No student may be found to have violated the Code solely because the student failed to appear at a hearing. However, failure to appear, without obtaining prior approval due to documented extenuating circumstances, will result in the student's loss of their opportunity to appeal the outcome of the conduct proceeding.

If a student does not appear for a hearing, the material relevant to the charges shall be presented and considered without the student's participation.

A student's (or group's) cumulative community conversations, deferred incidents, and conduct history will not be considered by the conduct body until the sanctioning phase of the deliberations.

The conduct officer may accommodate the concerns for personal safety, well-being, and/or fear of confrontation by the respondent, complainant and/or other witness by permitting participation by telephone, videoconference, closed circuit television, videotape, audio, written statement or other means, as determined in the sole judgment of the Vice President for Student Affairs or designee.

### **Hearings for Incidents Related to Sexual Misconduct**

Please see [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#). Conduct that does not fall under the jurisdiction of that policy may be adjudicated as a separate Code violation consistent with the University's obligations under the 2013 VAWA Amendments to the Clery Act.

### **Hearings Outcomes for Violations of this Code**

#### ***Responsibility***

A student or group charged with any violation(s) of the Code will be found either Not Responsible or Responsible for each individual charge. Students with conduct history are required to receive Dean of

Students clearance to participate in all study abroad or travel courses. This clearance is coordinated through the Center for Global Education.

In each case in which a conduct body determines that a student or student group has not violated the Code, a record of the finding will be kept on file with the Vice President for Student Affairs/Dean of Students Office. However, the outcome of Not Responsible will not impact the student or student group's standing within the University and no sanctions shall be imposed.

**Found Responsible** – In each case in which a conduct body determines that a student or student group has violated the Code and is therefore found Responsible, appropriate sanction(s) shall be determined and imposed by that conduct body. The conduct body shall advise the respondent in writing of its determination and of the sanction(s) imposed.

### ***Cumulative Conduct***

A student's or student group's prior conduct history will be considered during sanctioning. Multiple violations of the Code during a student's or group's tenure at the University may result in increasingly severe sanctions.

### ***Conduct Status Sanctions***

The following conduct statuses may be imposed upon any student or group found responsible for violating the Code:

- a. **Deferral** – This outcome signifies that the University has determined to hold a specified finding of responsibility and any resulting sanctions in abeyance if there are no future violations. If another violation occurs, the deferred sanctions may be reviewed and imposed. If sanctions are deferred, it will not appear in a student's reported disciplinary record if there are no other violations after the deferred incident.
- b. **Formal Warning** – This is a written reprimand to the student stating that the student has violated the Code and that any future violation(s) may result in more serious sanctions.
- c. **Conduct Review** – An official reprimand stating that the student's conduct is in violation of the Code and behavioral expectations, but is not sufficiently serious to warrant probation, loss of privileges, suspension, or expulsion. Students on conduct review shall have their conduct record under review for a specified period. This sanction may require regular meetings with an appropriate official to ascertain and evaluate compliance with student conduct expectations. Additional restrictions or conditions may also be imposed depending on the nature and seriousness of the misconduct. If there is a finding of responsibility for subsequent violations of policies, rules or expectations during this period, more severe sanctions will be administered.
- d. **Probation** – This reprimand is in effect for a specified period and includes the probability of more severe sanctions for any future violation(s) of the Code during the probationary period. The sanction states that any further violations of the Code or other University policies will result in immediate removal from housing. Notification may also be sent to parents of dependent students, student organization advisors, athletic coaches, and other appropriate personnel at the discretion of the Vice President for Student Affairs/Dean of Students or designee.
- e. **Probation with Loss of Privileges** – This reprimand is a serious form of probation affecting the status of a student and organizations. This status is in effect for a specified period and may make the student ineligible to hold leadership or employment positions (e.g., Student Government, Residence Life and First Year Experience student staff, University Ambassador, Athletics participation, organization involvement, recruitment, and other social functions). The status may also affect a student's ability to study abroad

- and participate in other off-campus programs. A further violation may result in deferred suspension, suspension, or expulsion from the University.
- f. **Deferred Suspension** – This reprimand is a serious form of probation affecting the non-academic status of a student or organization. The student is being assigned a status sanction of suspension, but the suspension will not be put into place provided that the student does not violate any additional policies within the specified timeframe. Also, the student must satisfactorily complete any assigned educational sanctions by their specified deadlines. If the student is found responsible for violations of the Student Conduct Code or other University policies during the time period of deferred suspension, the student may be suspended. The length of the suspension assigned at that time will be dependent on the student’s cumulative conduct history. If the student takes time away from the University during the student’s deferred suspension period, the time period of the deferred suspension will stop accruing while the student is away, and it will resume on the first day of instruction following the student’s re-enrollment. The status of Deferred Suspension may include notification to parents of dependent students, student organization advisors, athletic coaches, and other appropriate personnel at the discretion of the Vice President for Student Affairs/Dean of Students or designee.
  - g. **Suspension** – Separation of the student or organization from the University or University-owned housing for a specified period, after which the student or organization is eligible to return. Conditions for return will be specified. Notification of suspension may include notification to parents of dependent students, advisors, faculty, athletic coaches and other appropriate personnel at the discretion of the Vice President for Student Affairs/Dean of Students. Students may be held responsible for meeting their financial obligations to the University and may not visit the University while under suspension.
  - h. **Expulsion** – Permanent surrender of all rights and privileges as a student or student group and of membership in the University community and exclusion from the campus, from any University property and from all University functions. Notification of expulsion may include notification to parents of dependent students, advisors, faculty, athletic coaches and other appropriate personnel at the discretion of the Vice President for Student Affairs/Dean of Students. Expelled students may be held responsible for meeting their financial obligations to the University. Expulsion will be noted on the student’s transcript.
  - i. **Revoking of Admission/Degree** – Degree and admission to the University may be revoked for fraud, misrepresentation, or violation of University standards required for admission to the University or in obtaining the degree, or for other serious violations committed by a student prior to graduation.
  - j. **Withholding Degree** – the University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Code, including the completion of all sanctions imposed.

### ***Educational/Other Sanctions***

Intended to encourage the students to examine their behaviors and to develop new approaches to membership in the university community. A student may be assigned more than one sanction for a single violation.

Fulfilling sanctions is essential and students are expected to complete them in a thoughtful and timely manner according to the deadlines prescribed in the hearing outcome letter. Students must follow all academic integrity guidelines imposed by the University when fulfilling sanctions.

Failure to satisfactorily complete or comply with all sanctions as prescribed:

1. May result in a Dean's Hold placed on the student's accounts/records. Students will not be able to conduct any official university business while on this hold. Thus, students will not be able to register, add classes or request transcripts, and the current registration may be voided.
2. May also result in further sanctions, including suspension, until such time as full compliance of sanctions is obtained.
3. May result in additional sanctions or extended status sanctions.

Within the confines of FERPA, all sanctions/agreements may be used by the institution in its effort to further educate community members.

The following are examples of educational and other sanctions:

- Academic sanctions – revocation of degree, holding transcripts, removal from classroom/courses
- Fines – financial sanctions charged to student accounts
- Meeting with University official – meeting(s) or conversation(s) with a University employee to discuss violations and future behavior
- Notification – informing relevant parties (coaches, parents/guardians, campus employers, faculty, national/executive offices, etc.)
- Loss of privileges
- Loss of visitation privileges in University-owned housing
- Reflective assignments – apology letters, creative reflective projects, written responses to posed questions
- Research assignments – academically oriented projects, papers, or other assignments meant to encourage the research and understanding of a specific topic
- Restitution – compensation for loss, damage, or injury (may take the form of appropriate service and/or monetary or material replacement) to the University, students or third parties
- Workshops – decision-making skills workshops, anger management, alcohol and drug education
- Loss of recognition for student organizations – loss of all privileges, including University recognition, for a specified time
- Suspension of the organization – as a recognized University entity
- Other sanctions as defined by the Vice President for Student Affairs/Dean of Students or designee

### ***Notification and Confidentiality***

The following procedures apply to notification and confidentiality regarding outcomes of conduct proceedings:

- Parents and Guardians – In accordance with FERPA, parents/guardians may be notified when students who are under the age of 21 are found responsible for any drug and/or alcohol related violations.
- Financial Aid – As required by federal law, drug violations may be reported to the Office of Financial Aid, which may have repercussions on future federal aid eligibility.
- Student Groups – The right of privacy of student groups is not protected by FERPA (See Appendix 2). However, the Vice President for Student Affairs/Dean of Students has the discretion to determine when a student group's privacy should be protected.

- Complainants– At the discretion of the Vice President for Student Affairs/Dean of Students, complainants may be notified of the outcome of the hearing, including sanctions, in accordance with FERPA (See Appendix 2). In instances of violence or sexual assault, dating violence, domestic violence or stalking that fall outside the procedures of [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), the complainant will be notified of the hearing outcome, sanctions, and information about the filing and outcome of any appeals.
- University Affiliates – At the discretion of the Vice President for Student Affairs/Dean of Students, student organization advisors, athletic coaches, student employment supervisors, and other appropriate individuals may be notified of the outcome of the hearing.
- Public – The University may also disclose the final results of a conduct proceeding to the public, if the respondent’s alleged behavior is a crime of violence or a non-forcible sex offense and the respondent has been found responsible for violations of the Code and/or other relevant University policies.

### ***Other***

On their own action and without pending appeal, the Vice President for Student Affairs/Dean of Students retains the authority to override a decision made by a conduct officer or Board in instances when, in the Vice President for Student Affairs/Dean of Students’ judgment, the Code was misapplied or there are insufficient facts or evidence on which to base the Hearing Board’s or Officer’s finding(s). All appropriate parties will be notified of such a change.

### **Appeals for Incidents Adjudicated Under this Code**

Appeals are not intended to be full re-hearings of the allegation except in rare cases where a procedural error was prejudicial to the outcome of the hearing or may have prevented the hearing from being conducted fairly in light of the charges. Appeals decisions are to be deferential to the original hearing body, making changes to the finding where there is clear error and to the sanction only if there is a compelling justification to do so.

A complainant may not request an appeal of a decision made by a conduct body or conduct officer except in instances of violence. For cases involving dating violence, domestic violence, stalking and sexual assault that are not within the jurisdiction of [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#), equal opportunity to appeal shall be available to the complainant and respondent.

A request for appeal must be submitted in writing within 5 business days of the decision dated by the conduct officer (date listed on the hearing outcome letter), unless otherwise approved by the Vice President and Dean of Students or designee. The request for appeal must clearly demonstrate the grounds for appeal, and not exceed 5 double-spaced pages in length with 12-pt. font. All appeal requests, regardless of the hearing body, should be submitted to the Director of Student Conduct or as otherwise instructed in the hearing outcome letter.

### ***Appeals Criteria***

A respondent, whether an individual student or student organization, may request an appeal of a hearing outcome. Appeals are not granted automatically. A request for appeal must be well-reasoned, substantive, and demonstrative of at least one of the following criteria:

- a. That there was a substantive procedural error that was prejudicial to the outcome of the hearing or may have prohibited the hearing from being conducted fairly in light of the charges.
- b. For a case in which the respondent was found responsible, that the facts in the case were insufficient to establish that a violation of the Code occurred. Alternatively, for a case in which the respondent was not found responsible, that the facts in the case were sufficient to establish that a violation of the Code did occur.
- c. The sanction(s) imposed was not appropriate for the violation of the Code for which the student was found to be responsible.
- d. New evidence that was not available at the time of the hearing has become available and is potentially sufficient to alter a decision.

### ***Appeal Considerations***

Each student has one opportunity to appeal the outcome of a hearing.

For situations in which the Vice President for Student Affairs/Dean of Students serves as the conduct officer, an appeal body or person will be appointed by the University Provost.

The Vice President for Student Affairs/Dean of Students or designee has the discretion to submit a request for appeal if deemed necessary.

Upon receipt of the request for appeal, the request will be reviewed by the Appeal Body to determine if the appeal has merit. A request for appeal must be limited to review of the documentation associated with the initial hearing, supporting documents and statements made during the hearing. If none of the criteria for appeal is determined to have been met, the Appeal Body shall sustain the decision of the respective conduct body. If, however, any of the conditions is found to exist, the Appeal Body may grant the full appeal or grant only a circumscribed portion of the appeal, either with or without meeting with the relevant party(ies).

Depending on which criteria the Appeal Body determines have been met in granting all or part of an appeal, the Appeal Body may elect either to leave unaltered any of the findings of responsibility or sanctions imposed by the original hearing body or to alter the findings of responsibility and/or severity of the sanctions. If new information becomes available that was not available at the time of the hearing, the Appeal Body shall remand the case to the hearing body for consideration of the new information. In the event the Appeal Body finds there was a procedural error or bias, the Appeal Body may take other corrective action to sufficiently remedy the error. In determining whether to modify the outcome of a hearing, the Appeal Body is not bound by any requests made by the appealing party.

In cases when the complainant is granted the opportunity to appeal the complainant will be offered the opportunity to submit a rebuttal statement to the Appeal Body. Response statements must be within 5 pages, double-spaced with 12-pt. font, and must be received 2 business days prior to the hearing or review. The written response statements will be made available to the other party as part of the appeal record.

In cases when a complainant is granted the opportunity to appeal, the complainant will be notified of the outcome of an appeal of the case, in accordance with FERPA (See Appendix 2).

All appeal decisions are final and binding to all parties. Appeal decisions shall be given to the respondent (and complainant, when applicable) in written form.

## **Appeals for Incidents Related to Sexual Misconduct**

Please see [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#). Conduct that does not fall under the jurisdiction of that policy may be adjudicated as a separate Code violation consistent with the University's obligations under the 2013 VAWA Amendments to the Clery Act

## **Records Retention**

A student's conduct history is maintained for seven (7) years beyond the academic year in which the conduct violation occurred. Records may be retained beyond the routine 7-year period in special circumstances, including but not limited to, situations when off-campus legal action may be taken by any parties involved or incidents involving acts of violence, sexual misconduct, or weapons. Student conduct records of students suspended or expelled from the University are maintained indefinitely.

## Interpretation and Revision

Any question of interpretation regarding the Code shall be referred to the Vice President for Student Affairs/Dean of Students for final determination.

The Code shall be reviewed as necessary under the direction of the Vice President for Student Affairs/Dean of Students.

This Chapman University Student Conduct Code supersedes any and all previous versions of the Code, identifiable by the date code below, and shall serve as the official reference for all student conduct matters.

Updates to policy are effective immediately upon publication. If a conduct proceeding is in process, the procedure outlined in the version of the Code that was in effect when the hearing notice was sent will apply to the ongoing conduct proceeding. The prohibitions in the Code effective at the time of incident will be applied in the conduct proceeding.

\*Chapman University Student Conduct Code was adapted from A Model Student Disciplinary Code, developed by Stoner and Lowery 2004.

## **Appendix 1: Procedures Afforded to Students in the Student Conduct Code Process**

1. To receive notice of the date, time, and place of the hearing, pursuant to this Code or other policy as applicable.
2. To receive written notice of the alleged Code violations and have those charges explained clearly and fully.
3. To have the opportunity to review all materials concerning the charges.
4. To refute oral and/or written statements provided by a respondent, complainant, witness or investigator.
5. To provide witnesses and witness statements pursuant to this Code or other policy as applicable.
6. To be advised of the appropriate appeal process.
7. To be accompanied by a support person as described in this Code.
8. To submit a written statement outlining their perspective on the incident that initiated the conduct process.
9. To not respond to questions asked by a conduct officer(s) or investigators.

Note: When particular situations (Study Abroad, Travel Courses, Interterm Courses, etc.) necessitate a modified process, Appendix 1 will be adjusted to accommodate the modification.

## Appendix 2: Family Rights and Privacy Act (FERPA)

The University's Annual Notification is continually posted and available on the [University Registrar's website](#).

## Appendix 3: Academic Integrity Policy

### Principle

Chapman University is a community of scholars that emphasizes the mutual responsibility of all members to seek knowledge honestly and in good faith. Students are responsible for doing their own work, and academic dishonesty of any kind will be subject to sanction by the instructor/administrator and referral to the University's Academic Integrity Committee, which may impose additional sanctions up to and including expulsion.

Please see the full description of [Chapman University's Policies on Academic Integrity](#).

Academic Integrity policies and procedures apply to all Chapman University undergraduate students and graduate students, although graduate programs may have program-specific academic integrity policies. Please check with the specific graduate program for more information. Graduate programs that operate with program-specific academic integrity policies, include but are not limited to:

- Dale E. Fowler School of Law – [School of Law Honor Code](#)
- School of Pharmacy – [Academic Integrity Policy](#)

## **Appendix 4: Residence Life Policies and Procedures**

### **Animals**

Students are not allowed to have pets or stray animals in the residence halls and apartments, with the exception of fish in one tank up to ten gallons in size per residence hall room or apartment. An exception for service animals and emotional support animals is explained below. Residents are also not allowed to feed any stray animals in or outside of the residence halls. If a pet or stray animal is found in a room, the resident(s) of the room will be charged the cost of exterminating the room, common area, or apartment for fleas and will be subject to the student conduct process. When the animal is discovered, it must be immediately removed by the resident or the University will remove it and hand it over to Animal Control. Residents of the apartments and residence halls may not have animals “visit” nor keep an animal temporarily in their room or apartment.

Request for accommodations for service animals or emotional support animals must be made in advance of the animal arriving on campus by contacting the Residence Life and First Year Experience. Until a student registers and receives approval for their service animal or emotional support animal, any animal will be subject to the pet policy expectations above.

### **Balconies, Stairs, and Walkways Safety**

Balconies, sidewalks, stairways and walkways are made for walking and are not to be used as storage areas. Nothing should be left on the stairways, walkways or balconies at any time, including garbage in the area around the room, apartment or house. Possessing and/or using barbecues and other outdoor cooking equipment on balconies is prohibited. No couches or other furniture designed for indoor use may be kept on a patio or walkway or any outside area, including balconies in Chapman Grand. Chapman Grand residents may have a reasonable amount of patio furniture based on the size of their apartment patio as determined by Residence Life and First Year Experience staff. In the Davis Apartments, residents may keep no more than two chairs and one small table on their balcony area, provided they do not block the egress. Only plastic resin or metal furniture designed for outdoor use may be used (wood patio furniture is not allowed). University furniture may not be used on the patios. Harris residents may not have furniture on their balcony area. Residents may have no more than three small plants on their balcony area and the plants may not be hung or placed on the railing. Items left on the balcony areas and in walkways that violate this policy will be confiscated and thrown away. Residents may be charged for the removal of abandoned items and may be subjected to the student conduct process. Bicycles may only be locked/chained to bike racks; bicycles chained to gates, stairways, and signs or otherwise stored incorrectly will be confiscated and the owner will be fined at least \$100 per instance. See also: Egress and Building Safety policy listed in the Student Conduct Code.

### **Basic Rights of Residential Students**

The Basic Rights of Residential Students ensure safety and respect for all community members. These rights carry with them a reciprocal responsibility on residents’ parts to ensure that these same rights are maintained for all roommates and other residents. Students who violate the basic rights of another student/community member will be subject to conduct review.

While Basic Rights of Residential Students are listed here, roommates, floormates, suitemates, and apartment-mates may choose to add to this list as well. It is important that these items and the concept of others’ rights and responsibilities be discussed and honored throughout the year.

- The right to read and study in your room, free from unreasonable interference.
- The right to have one's personal belongings respected.
- The right to free access to your residence facilities.
- The right to live in a clean, safe, and healthy environment.
- The right to sleep and relax in your room.
- The right to entertain guests and visitors when it does not infringe upon a roommate's or a community member's rights.
- The right to settle conflicts.
- The right to be free from intimidation, physical, and emotional harm.
- The right to confront another's behavior that infringes on your rights.
- The right to seek the aid of staff in resolving possible roommate conflicts after having already unsuccessfully attempted a resolution.

### **Check-In Procedure**

At the time of check-in, each resident is required to sign and complete all check-in paperwork, key information and the Room/Apartment Inventory Form. At the beginning of the fall semester, Resident Advisors will inventory rooms and fill out the inventory form so that it accurately reflects the condition of the assigned room and its contents. However, it is the responsibility of the residents to verify the information recorded and report any necessary additions to the form to the appropriate hall office within 72 hours of check-in. At the time of check-out, students will be held financially responsible for any damages that were not noted on the inventory form at the time of check-in and any other changes that may have occurred throughout the year. Students who fail to follow the check-in procedure will be fined \$65 for an Improper Check-In. Check-in will be available only during times designated by the Residence Life and First Year Experience staff. Mailbox keys (for Davis and Panther Village residents) and box numbers are assigned to each resident and will be available for pick-up at the time of check-in at the appropriate hall office.

### **Check-Out Procedure**

Prior approval is required for residents to check out of a housing assignment during the academic year. In order to receive check-out approval during the academic year, residents must complete a License Release Request or Assignment Change Request form and submit it to Residence Life and First Year Experience for review. A student's License Release Request or Assignment Change Request must be approved before check-out. To officially check out, the student must make an appointment with a Residence Life staff member or go to the appropriate hall office during the office's open hours. During spring semester, pre-inspections prior to check-out are not required but are available by contacting the building's Resident Director or Area Coordinator. At the time of check-out, the student's check-out paperwork will be provided by the Residence Life staff member. As a part of check-out, students will turn in their mailbox keys (if applicable) and will complete all of the check-out paperwork. Failure to complete the check-out procedures will result in a minimum \$65 Improper Check-Out fine. Students who fail to move out on their scheduled check-out day will be charged per the terms of the RLA.

Following check-out, the Resident Director or Area Coordinator will inspect the housing assignment to ensure that it has been cleaned, is in good condition, and has all the furniture that was present at the time of check-in. (This is done by comparing the condition of the room with the information on the Room Inventory completed at check-in.) If furniture is missing, damage has occurred, the residence is dirty, or items are left in the room, the student will be charged accordingly. The student will be held financially responsible for any damage and/or missing furniture that is not listed on the room inventory form.

Residents who are released from housing assignments during the year must vacate their assignments in accordance with their written release notification. All residents (except summer residents) who are moving out at the end of the academic year must vacate the residence halls 24 hours after their last final in the spring semester. For specific dates for check-out, contact [Residence Life and First Year Experience](#) at 714-997-6603.

### **Cooking/Kitchens**

Cooking is allowed only in kitchens. Cooking in residence hall rooms or in non-kitchen areas is strictly prohibited. Microwaves other than approved combination microwave/refrigerator units are prohibited in the residence halls. Microwave/refrigerator units must use a single power supply and meet the cubic feet requirement in "Electrical Appliances." The Morlan kitchen is available for resident use. Visit the Residential Support Desk in the Henley basement for assistance to enter the kitchen.

Food waste must be correctly disposed of and brought to the dumpster. Garbage disposals are for small remnants left over from washing. Absolutely no rice, potatoes, lettuce, celery, grease, carrots, eggshells or other items that may cause the garbage disposal to malfunction should be placed in the sink or garbage disposal.

### **Damage to Room and Common Areas**

Residents are responsible for the condition of their room throughout their occupancy. If there are any damages to the residence or its exterior, the residents of the room will be charged for those damages (including missing/damaged furniture). If damage or vandalism occurs in common areas in the residence halls or apartments, all residents of the appropriate community will be held responsible and fined unless an individual(s) accepts responsibility for the damage.

### **Electrical Appliances**

Clothing irons, coffee makers, refrigerators smaller than 4.0 cubic feet, and micro-fridges (microwave/refrigerator combination units) are approved appliances in the residence halls. Surge protectors and power strips are approved and must be used. Absolutely no extension cords are allowed in residence halls, and apartments.

Due to the health and safety issues inherent in high-density living environments, the following are prohibited in the residence halls: hot plates, electric skillets, electric indoor grills, toaster ovens, toasters, hot oil popcorn poppers, halogen lights, sun lamps, hibachi's, electric heaters, rice cookers, tanning beds, sandwich makers, multi-plug adaptors, refrigerators larger than 4.0 cubic feet, microwaves (other than the approved combination microwave/refrigerator), major appliances or devices deemed unsafe by Residence Life or Public Safety staff. Possession of these items in a residential room, whether in use or not, constitutes a violation of this policy. Prohibited items will be confiscated, and students found in violation of the policy may be subject to fines of up to \$100 per item. Please refer to the Fire Safety policies for more information.

Small kitchen appliances are permitted in the common living areas of Sandhu Residence Center Suites as well as Glass, Davis, Harris, Chapman Grand, Panther Village Apartments, and The K.

### **Furniture**

Students may not remove University furniture from their room. Placing University furniture outside of a residence room is prohibited. All furniture must remain in the room in which it was originally placed. Students will be charged the replacement costs of any furniture that is missing or damaged at the end of the year. Students may not trade furnishings with other students or move furniture to other University-owned residence halls, or apartments. The University will not provide additional furniture

beyond the basic set-up in each residence hall room. Waterbeds are not permitted in the residence halls or apartments.

### **Health and Safety**

Residents are responsible for maintaining a clean, safe and sanitary living area inside the residence hall rooms and apartments and the surrounding areas, including exterior areas, balconies, walkways, lawns, etc. The living area must be in a clean, orderly condition throughout the year and at the time of check-out. Students are responsible for the cleanliness of their residence, including the bathroom, throughout the year.

At least twice a year, the Residence Life staff will conduct Health and Safety Inspections with Facilities Management staff. Residents who are found to be in violation of University policies during these inspections may be subject to the student conduct process.

Potentially dangerous items found during Health and Safety Inspections will be confiscated without the option of being returned. In addition to fines and confiscation, some items may be destroyed, including but not limited to: drugs, drug paraphernalia, directional signs, weapons, alcoholic beverages, and candles.

### **Housing Selection**

Housing selection is the process that allows current students to choose their housing assignment and roommates for the upcoming year. During the spring semester, the Residence Life and First Year Experience staff coordinates housing selection. Students must participate in housing selection to be eligible for a housing assignment for the next academic year. Residence Life and First Year Experience attempts to make this process fair and equitable for all involved. If a returning student fails to meet all deadlines in housing selection, the student may lose the opportunity to sign up for on-campus housing or will be assigned only after all new student applications have been processed. Students on a hold with Business Office may not be able to select during the main housing selection process until their hold has been cleared.

### **Improper Residence Entrance/Exit**

Residents who improperly enter or exit gates, residence halls, lounges, offices, or their or others' rooms, or apartments by misusing keys, ID cards, or lockout codes will be subject to the student conduct process. Additionally, improperly entering or exiting a residence hall by misusing, breaking or removing windows, screens and/or doors will be subject to the student conduct process. Removal of a window screen may result in a fine of \$50.00, as well as the cost for other damages if appropriate. (Also see Lockouts.)

### **Keys**

Residents are issued access to their assigned room, or apartment. Residents are not permitted to loan keys or Chapman ID cards to others, including other students, friends, or family members. If a student is granted temporary access to a residence hall space with a temporary keycard, the student must utilize the keycard only for their own entry to the space. The student must return the temporary key to Residence Life staff at the end of the student's temporary stay in the residence, as determined by Residence Life and First Year Experience. Keys, including mailbox keys, may not be duplicated. If a mailbox key has been damaged, duplicated or misplaced, there is a \$40 charge for re-keying the mailbox. Failing to turn in their key upon check-out will also result in a \$40 re-key charge.

Chapman student ID cards act as a key to gain access to residence hall rooms, gates, and laundry rooms. Residents who are locked out of their rooms should go to the Residential Support Desk.

Residents who need to replace a missing ID card must purchase a replacement at the Service Desk located in the Library. After every 5 lockouts, a student will be charged a \$25 fine. After 10 lockouts, the matter may result in a conduct violation. Cards can be reprogrammed for rooms at both the Service Desk and in designated hall offices.

### **Locks**

Residents who tamper with the locking mechanism on their doors (by using the deadbolt to keep the door ajar, weighing down the door handle, or placing an item over the lock to disengage it) endanger their own safety and the safety of other residents. Residents found tampering with their locks will be subject to the student conduct process and restitution costs for damages. Residents cannot add/replace locks anywhere in their residence (this includes but is not limited to: doors, windows, closets, desks, etc.) that would prevent access or entry by University staff. In doing so, residents may be charged and subject to the student conduct process.

### **Lockouts**

If residents are locked out, they must notify University officials to gain entrance to their room, or apartment. If it is between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, residents can go to the main office of Residence Life and First Year Experience on the second floor of the Davis Community Center, or call (714) 997-6603. From 9:00 a.m. - midnight, the Residential Support Desk located in the basement of Henley Hall can also provide lockout assistance. If it is after hours, the resident should call Public Safety at (714) 997-6763 and ask to be connected to the RA On Duty for their building/area. After 5 lockouts, a student will be charged a \$25 fine. After 10 lockouts, the matter will result in a community conversation with a Residence Life staff member.

### **Lofts/Lofting**

For safety reasons and preservation of facilities, students are not permitted to use cinder blocks or other bed-raising mechanisms. All unauthorized lofting systems are not permitted. For safety reasons including earthquake safety, students are prohibited from stacking furniture, such as dressers or beds. Students who wish to have individual beds bunked must follow proper protocol with Residence Life staff and Facilities Management by submitting a Room Configuration Request form. Students found in violation of the policy may be subject to fines of up to \$100 per item.

### **Lounge Policy and Common Areas**

Misuse, abuse, theft, or destruction of University property is not permitted. Violators of this policy are subject to conduct review, which may result in financial liability, assigned sanctions, and/or loss of housing privileges. If furniture or other University property is missing, students will be fined per item. In addition, actions of residents and/or their guests that require excessive cleaning and/or maintenance will not be tolerated. The resident(s) responsible will be held financially responsible for any damage they cause. Residents may not sleep overnight in University lounges without the prior permission of their Resident Director or Area Coordinator. Entire communities may be fined for damage and vandalism to lounges or other common areas, as defined in the Damage to Room and Common Areas policy. Please note that the Quiet/Courtesy Hours policy applies in all lounge and common community areas, both indoor and outdoor.

To reserve a lounge or common area, residents should email the Resident Director or Area Coordinator of the building. Availability is first-come, first-served basis. Residents who fail to reserve space in lounges and community areas may be asked to vacate the lounge immediately for a person or group who did reserve the lounge. Priority is given to the group, club, organization, or individual that reserved the space. Groups, clubs, organizations, or individuals will also be held responsible for damages that

occur during their use of the lounge or common area. Groups or individuals will be held personally and/or financially responsible for any necessary cleaning or trash removal in the case of excessive trash or debris left behind.

### **Mail and Packages**

All residents are assigned an individual mailing address for the residential area. Chapman Grand, Davis Apartments, and Panther Village residents will receive a mailbox key at check-in and should respect roommates' mail and packages that are delivered. For residents of Henley, Pralle-Sodaro, Glass, Sandhu and Morlan halls and Harris apartments, mail and packages are delivered to either the Davis Community Center package room or the Sandhu Conference Center package room below the Randall Dining Commons. Residents of Chapman Grand, Panther Village, and The K will pick up packages and mail in their buildings. Residents will be notified via Chapman e-mail when packages or mail are ready for pick up. Residents who receive mail that does not belong to them or their mailbox partner should label it "Return to Sender" and either put it in the appropriate mislabeled mail slot, or give it to the mail/package room staff. Davis Apartment residents have a separate process for mail and packages that is handled through the United States Postal Service.

### **Plumbing**

University residence hall rooms and apartments use low-flow toilets to conserve water. Toilet paper and bodily waste are the only flushable items. Students may not dispose of feminine products, paper towels, baby wipes, personal cleaning wipes, or any other items in the toilet. These items should be disposed of properly in the trash. Residents are encouraged to purchase their own plunger for use as needed. Residents are expected to learn how to shut off the water to their toilet in the event of an overflow, and they are expected to shut off the water at the first sign of a malfunctioning toilet. Residents should also contact Public Safety immediately if they suspect any plumbing in their room or apartment is malfunctioning. Residents will be held financially accountable for any damage to their room or the building if they misuse a toilet or other plumbing, either negligently or maliciously.

### **Quiet/Courtesy Hours**

Residents are expected to be considerate and courteous to others at all times. Sound levels need to be such that noise is confined to the individual's residence. Courtesy hours are in effect 24 hours a day, seven days a week. This includes holidays, summer session, Interterm, weekends and any period when classes are not in session. The right to study and sleep always supersedes the privilege to entertain oneself or others.

Quiet hours are: Sunday through Thursday from 10 p.m. to 10 a.m. and Friday through Saturday from midnight to 10 a.m. Starting Friday at 8:00 p.m. before finals week of each semester, including Interterm, there are 24-hour quiet hours in the residence areas. Quiet hours may be extended if necessary for University-sponsored events.

Use of musical instruments may be restricted if it violates quiet or courtesy hours. Any musical practices may be restricted if they become disruptive to other residents or staff. There are designated practice rooms that can be accessed by going to the Residential Support Desk in the Henley basement.

Residents will be held responsible for causing car alarms, repeated car horns, or for failing to promptly turn off their car alarms, especially if the alarms violate quiet/courtesy hours. Cars may be towed for violating this policy.

## **Room Alterations**

Excessive wall hangings or decorations are not permitted in residence hall rooms, or apartments. Nothing can be attached to or hung from the ceiling. This includes tapestries, decorative lamps, posters, or streamers. Installing fans and door hangers or painting walls and/or ceilings are not permitted. (Please see the Residence License Agreement and the Fire Safety and Equipment policy in the Student Conduct Code). White sticky tack and removable adhesive hanging strips are the only approved form of adhesive for hanging items to a wall. The use of push pins, nails and screws are prohibited. Any wall or paint damages created from hanging decorations on a wall, regardless of the method of hanging, may be cause for a charge upon check-out.

## **Room/Apartment Assignment Change Requests**

Residents who are not satisfied with their current living situation may initiate a request to change their housing assignment. Requests may be made by contacting their Resident Director or Area Coordinator. Requests are considered based on the availability of unassigned spaces in housing. Any student who moves into a new room assignment without written approval from Residence Life and First Year Experience staff may be moved back to their original assignment, may be required to pay an Improper Check-In fee (\$65), and may be subject to conduct review.

Students who are approved to change housing assignments will be financially responsible for the possible change in rate of their new housing assignment based on building and number of residents occupying the room assignment. Residents may not request that their roommate be moved.

## **Room/Apartment Entrance and Search**

University officials including the Residence Life and First Year Experience staff, Public Safety, and Facilities Management staff members must respect students' rights to privacy. The staff members working in Residence Life and First Year experience, Public Safety, and Facilities Management will not admit anyone into a residence hall room, or apartment who is not assigned to the space. If an individual's belongings are locked in another resident's room, or apartment, staff will not open the door. University officials do, however, reserve the right to enter a student room, or apartment for reasons of safety, sanitation, emergency, or to ensure compliance with University and Residence Life policies. A Room Entrance and Search may occur under the following conditions:

- When the resident of a room submits a work request, the request grants Facilities staff members permission to enter the student's residence without prior notice in order to investigate and complete the work, even if the student is not present.
- If there is a concern that a resident's health and/or safety is in jeopardy, Residence Life and First Year Experience staff or Public Safety staff will enter a room without prior notice, depending on the urgency of the situation.
- Health and Safety inspections will occur at least twice a year by the Residence Life and First Year Experience staff in partnership with Facilities Management. Room entrance is necessary to perform these inspections. Residents do not need to be present for these inspections and may not interfere with the inspection schedule.
- While engaged in the performance of duties within the residence hall community, Chapman University officials (Public Safety officers and Residence Life staff) have occasion to come upon situations that require the search of a residence. These encounters are based on the premise of "Cause" (Reasonable Suspicion). Reasonable suspicion consists of:
  - Personal observation of alleged policy violations or illegal activity.

- Reasonable suspicion to believe that a policy violation or something illegal is taking place (this can be based on sight, smell, statements or sounds).

Searches based on reasonable suspicion may require looking into areas of concealment (e.g. refrigerators, closets, drawers, etc.). This is based on seeking out additional policy violations that the officials believe are present based on circumstances at that time.

As a general rule, campus officials will try to obtain the consent of the resident(s) involved when conducting a search. However, this is not required, and at times searches will be conducted without the permission of the resident(s).

When University officials are conducting room searches, a Residence Life Staff member (Resident Advisor, Resident Director, Area Coordinator, Assistant Director, etc.) will be present whenever possible.

### **Social Gathering Policy**

Residence Life and First Year Experience encourages students to socialize and invite guests to their residence, as long as it does not disrupt the community and/or involve any policy violations. For safety reasons, students in the residence halls may not have more than eight guests or other students in their room; residents of the apartments, Sandhu suites, and The K suites may not have more than 12 guests or other students in their apartment. This includes guests or other students who may be either inside or outside the residence. These limits will be used when staff members are called to respond to a social gathering.

Any person, including a current student, who is not assigned to a residence hall room but is in the building or room for the purpose of visiting students who are assigned to the room is considered the guest of the student being visited. All guests who are not enrolled Chapman University students must be registered [online](#).

Any social gathering that violates this policy will be dispersed immediately by Residence Life staff and First Year Experience and/or Public Safety officers and will result in conduct review. When a social gathering is dispersed, all guests or other students must immediately leave the residence. The resident host, their guests, and other students present are required to cooperate with the staff and assist with the immediate dispersing of the social gathering. Any resistance, verbal or physical, toward University officials may result in loss of housing privileges, sanctions, and/or arrest by law enforcement.

Furthermore, all social gatherings must comply with the policies listed in the Student Conduct Code and other University policies, including, but not limited to, Identification, Quiet Hours and Alcoholic Beverages policies. University staff will respond to any social gathering of two or more students or guests anywhere in the residential areas that may be violating a university policy, and the gathering will be dispersed immediately.

### **Solicitation**

No door-to-door solicitation for ticket sales, cash donations (including non-profit organizations), drawings, raffles, magazines, newspapers, candy, or food or any other money exchanges will be permitted in University residence halls or apartments. If solicitors approach a resident's door, residents should call Public Safety at (714) 997-6763.

**Water Use**

Car washing is not permitted in Residence Life parking lots. Hoses and Slip-n-Slides are not permitted in the areas in and around University residence halls and apartments. Please be aware that squirt guns violate the Weapons Policy.

## Appendix 5: Alcohol and Substance Abuse Policy

To comply with the Drug Free Schools and Communities Act of 1989 (DFSCA) and subsequent amendments, students and employees of Chapman University are informed that strictly enforced policies are in place which prohibit the possession, use or distribution of any illicit drugs, including alcohol, on Chapman University property or as part of any Chapman University-sponsored activity unless event-specific permission is given for of-age students to consume alcohol moderately. Students are also subject to all applicable legal sanctions under local, state and federal law for any offenses involving illicit drugs on Chapman University property or at Chapman University-sponsored activities.

Chapman University affirms that illegal drug use is unlawful and harmful. The use of illegal drugs and alcohol abuse by students and employees could result in cognitive deficits, loss of productivity, and other health risks. These risks include an increased risk of accidents, which may result in death or permanent injury. Free, confidential counseling for alcohol and other drug abuse issues is available to students and employees through the Chapman University Counseling Services, Health Services, and the employee assistance program. Other resources may include assessment, individual counseling, educational programs, materials, and referral and case management through community agencies, all of which might include a fee.

### Alcohol Policy

The following sections describe Chapman University policy regarding the sale, service, distribution, and consumption of alcoholic beverages on university property or at Chapman University-sponsored events in accordance with federal, state and local laws.

#### Basic Guidelines

Students who are 21 years of age or older are permitted to possess and consume alcohol in designated university housing rooms. Students who are of legal drinking age may not share or provide alcohol to any students, employees or guests who are under 21 years of age. Those under the minimum legal drinking age of 21 years are not permitted to possess or consume alcohol anywhere on university property or at university-sponsored events. Violations of this policy include:

- The sale, possession, use, consumption, production, purchase, or provision of alcoholic beverages to or by any person under the age of 21.
- Requiring medical attention and/or engaging in disorderly or disruptive conduct due to intoxication causing University officials to respond, even if the subject is over the age of 21.
- Hosting events providing alcohol without first securing authorization from the Vice President and Dean of Students or designee and adhering to the guidelines provided.
- Possessing open containers or consuming alcoholic beverages in any outside location on the University's premises, near any University-owned pool or swimming facility, at events without prior authorization, or in public areas inside University buildings including: residence halls, Davis Community Center, Student Union, campus or residence hall fitness centers, residence hall floor lounges, hallways, or quad areas, except with permission from the Vice President and Dean of Students or designee.

- Consuming alcohol in a University residence when an individual under the age of 21 is present in the same setting.
- Being under the age of 21 and knowingly in the presence of alcohol in a University residence hall space regardless of the amount of time spent in that residence hall space.
- Possessing kegs, common source containers or devices designed for the rapid consumption of alcohol (e.g., beer bong, funnels.); engaging in behavior (e.g., games like beer pong, flip cup) that promotes the rapid or excessive consumption of alcohol.
- Providing alcohol with the intent of taking advantage of another.

## **Illegal/Controlled Substance Policy**

The following sections describe Chapman University's policy regarding the sale, manufacture, distribution, possession and use of illegal/controlled substances on or off Chapman University property or at Chapman University-sponsored events or programs in accordance with federal, state and local laws. Violations of this policy include:

- Use, possession, sale, distribution and/or production of narcotic or other controlled substances (including marijuana), or acting as an accessory, liaison, or facilitator for any of the above, except as expressly permitted by law.
- Requiring medical attention and/or engaging in disorderly or disruptive conduct due to substance use causing University officials to respond, even if the subject legally consumed the substance. *See Appendix 6 for the Medical Amnesty Policy.*
- The possession or use of marijuana, even with a medical recommendation or medical license, is prohibited on University property in compliance with federal law. Any drugs and/or paraphernalia found to be in a student's possession, University residence, vehicle, or assigned area will be considered to be in the possession of the student whether or not the student is the individual who purchased or furnished the drugs, paraphernalia, or handmade drug use device. Confiscated paraphernalia will not be returned to students at any time.
- Being in the presence of and having knowledge of an illegal substance in a University residence regardless of the amount of time spent in that residence.
- Illegal or improper use of prescription or over-the-counter medicines, even where lawfully prescribed. All prescription medicines must be kept in their original bottle and must have the prescription from the doctor noted on the bottle. Prescription medicines found without their prescription attached will be confiscated until such time that the prescription can be produced. All prescription medications must be prescribed to the person in possession of the medication.
- Possession of drug paraphernalia (i.e., rolling papers, pipes, bong, etc.) for intended or implied use of any form of illegal substance) regardless of whether it is purchased or handmade, even as props for filming.
- Possessing paraphernalia that contains or appears to contain any form of an illegal substance.
- Use of a legal substance in an improper manner (e.g. ingesting a cleaning chemical, inhaling other chemical substances for the purpose of intoxication).

- Providing drugs with the intent of taking advantage of another.
- Using mail services to purchase, pass, or distribute illegal substances

The possession or use of marijuana, even with a medical recommendation or when the student is 21 years of age or older, is prohibited on University property.

Any drugs and/or paraphernalia found to be in a student's possession, residence, vehicle, or assigned area will be considered to be in possession of the student regardless of whether the student is the individual is the person who purchased or furnished the drugs or paraphernalia.

Students must be able to provide a prescription (such as a bottle or a written prescription from a doctor) for prescribed medications. Prescription medicines found without their prescription will be confiscated until such a time that a prescription can be produced.

This policy provides flexibility for the University in addressing drug-related offenses which occur on- or off-campus. Moreover, it permits the University to address its fundamental mission of holistic education and the development of human potential. While recognizing that there is a need to address violations related to the use or possession of controlled substances, the University must address the education and well-being of all its students and employees. In addition to Chapman University imposed sanctions, students and employees are subject to all legal sanctions under federal, state and local law for any offenses involving illegal drugs on Chapman University property or at Chapman University activities.

### **Safe Harbor**

The University has a Safe Harbor rule for students. The University believes that students who have a drug and/or alcohol addiction problem deserve help. If any Chapman University student brings their own use, addiction or dependency to the attention of Chapman University officials outside the threat of drug tests or imposition of the conduct process and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and the campus conduct process will be initiated.

### **Information Regarding the Impact of Alcohol and Other Drug Use**

Information regarding health risks of alcohol and drug use can be found in [the University's annual policy notification](#).

## Appendix 6: Good Samaritan and Amnesty Policies

Chapman University cares about the safety and welfare of each member of its community. At times, community members may need assistance. Sometimes students are hesitant to call assistance for fear that the student needing assistance or themselves may be charged with university policy violations. Chapman University hopes to remove this fear by clarifying the policies to encourage students to report sexual misconduct and to seek assistance for themselves or others who need help.

The Good Samaritan policy applies to students seeking help on behalf of other students and the medical amnesty policy applies to the person(s) in need of medical attention. The sexual misconduct amnesty policy applies to both any witnesses and the complainant in an incident.

These policies only apply to violations of the Code. All other matters (such as employment, athletic eligibility/participation, leadership or volunteer positions and similar circumstances) may be addressed separately as appropriate by University personnel. This policy does not prevent action by police or other legal authorities. See also [the Student Policy on Sexual Harassment Prohibited by Title IX](#) and/or [the Student Policy on Sexual Harassment Prohibited by Senate Bill 493](#).

### **Good Samaritan Policy**

The Good Samaritan policy allows the University to eliminate conduct consequences as articulated in the Student Conduct Code for students, who may be under the influence of alcohol or other substances, who make a good faith call for medical or other help on behalf of another student (See also Sexual Misconduct Policy). This policy applies in situations involving alcohol, other drugs, interpersonal violence, and other situations considered dangerous by a reasonable individual. This means that no formal university conduct actions or sanctions will be assigned to the reporting student(s) for minor violations relating to the incident. The incident will still be documented and educational interventions may be required as an alternative to conduct action. This policy does not protect against repeated or serious violations of the Code such as, but not limited to, abusive behavior, failure to comply, interpersonal violence, and distribution of alcohol and/or other drugs, hazing, theft, property damage, etc.

### **Medical Amnesty Policy**

The medical amnesty policy is a reduction in the conduct consequences for students who receive medical attention due to alcohol intoxication, alcohol poisoning, or other drug intoxication. Students who receive medical attention for alcohol and other drug intoxication will be required to complete educational interventions. This means that no formal university conduct actions or sanctions will be assigned to the student, unless the student fails to complete the assigned educational interventions. This policy shall only apply to a student's first alcohol/drug policy violation that requires medical attention, regardless of how the response was initiated. Additionally, this policy does not protect against serious violations of the Code such as, but not limited to, abusive behavior, failure to comply, interpersonal violence, and distribution of alcohol and/or other drugs, hazing, theft, property damage, etc.

### **Sexual Misconduct Amnesty Policy**

To encourage and support the reporting of incidents and participation in investigations under the Student Policy on Sexual Harassment Prohibited by Title IX and/or the Student Policy on Sexual Harassment Prohibited by Senate Bill 493, students who participate in investigations under this policy

will not be held accountable for violations of the Student Conduct Code that may have occurred at the time of or as a result of the incident in question (for example, being under the influence of alcohol or other drugs), unless the University determines that the violation was egregious. Egregious violations include, but are not limited to, actions that place the health or safety of another other person at risk or that involve academic dishonesty.

## Appendix 7: Posting Procedure

All postings and publicity in conjunction with Student Affairs or posted in or around Argyros Forum must adhere to the following guidelines:

- Postings may not violate the Student Conduct Code.
- Items must visibly include the sponsoring group, department, or individual and contact information.
- Postings may not be placed on windows, glass, wood or in a manner that impedes upon pedestrian or vehicle traffic.
- Postings may not be placed on campus art. Certain pieces of campus art rest on support structures. Posting is permitted on these support structures, provided postings do not block, cover, or otherwise alter any plaque, inscription, or other message present on the support structure.
- Postings may not conceal or obstruct exit signs, manual pull fire alarms, fire extinguisher cabinets, fire sprinklers, or other life safety equipment.
- Decorative materials are not allowed to cover vision lites (the small windows) on doors, thereby concealing someone on the other side who may be injured by the opening of the door.
- Postings may not contain language or images that promote violation of University policy.
- Postings containing information written in a language other than English must have an English translation on said postings, with the exception of the names of registered student organizations.
- Tacks should only be used on bulletin boards. Painter's tape or string is required for posting in all other areas on campus – posting should not be done with tape or stickers.
- Postings should be removed within 24 hours after the conclusion of the event. Note: every two weeks, staff will remove all postings for which the date of the promoted event or activity has passed.
- All postings by unrecognized student groups shall expressly disclaim, in font no smaller than ten (10) point font size, any affiliation with or recognition or sponsorship by the University. The following language is approved for use: "This group is not affiliated with, recognized by, or otherwise endorsed by Chapman University in any manner."
- Any postings using the Chapman logo must meet the Strategic Marketing and Communications policies.

### Leaflets, Pamphlets and Handbills

Leaflets, Pamphlets and Handbills and similar informational literature may be used in association with on-campus groups, events and activities, including groups, events, and activities not recognized or sponsored by the University. In the case of unrecognized student groups, only Chapman student members of the group may distribute such informational literature. Handbills may be distributed in conjunction with the renting of outdoor space by unrecognized student groups. Contact the Department of Student Engagement for vending policies and procedures.

- Handbills may only be distributed in person, to individuals.
- Handbills cannot be placed on cars or left on tables.
- Handbills may not be distributed in a manner that impedes the flow of traffic (automobile or pedestrian), disrupts activity taking place in any classroom or building, is harassing, or deemed solicitous in nature.

- Handbills may not be distributed inside any building, unless the group has reserved a table with the office of Institutional Event Management.
- No student group, whether recognized or unrecognized, may distribute handbills or similar materials during the weeks designated for fraternity rush and sorority recruitment or during the two weeks preceding such periods.
- Distribution by students of informational literature or commercial publicity by or for unsanctioned off-campus parties or by or for commercial entities, or for financial gain is only permitted in accordance with the University vending program. Please contact the Department of Student Engagement for vending policies and procedures.
- Any items using the Chapman logo must meet the Strategic Marketing and Communications policies.

### **Chalking**

- Chalk may not be used on stairs, brick, wood, stone, pebbled concrete, buildings, planters, benches, vertical surfaces or painted surfaces.
- Black chalk may not be used at any time.
- All chalking must adhere to the posting requirements listed above, including removal after events. Any chalking may be removed during the normal sidewalk cleaning schedule.

Failure to follow these posting guidelines may result in the removal of postings or chalking without notice and the loss of future ability to post or chalk or handbill distribution opportunities. Additional Student Conduct Code action may also accompany the failure to adhere to section a. as defined in the Student Conduct Policies.