ARTICLE 2 - POLICIES GENERAL

Note: Communication to students regarding violations of this code and information concerning this code will be through the students' University email account. It is the students' responsibility to regularly check their email account daily. Failure to check a students' account will not be considered as an exigent circumstance for complying with this code.

A. Jurisdiction

This Code applies to any behaviors that take place on the campuses of Concordia University Wisconsin, Concordia University Ann Arbor and at University-sponsored events on or off campus. This code may also apply off-campus and to actions online when the CSSO or designee determines that the off-campus conduct affects a substantial University interest. A substantial University interest is defined to include:

1. Any action that constitutes criminal offense as defined by federal or state law. This includes, but is not limited to, single or repeat violations of any local, state or federal law committed in the municipality where the University is located;

2. Any situation where it appears that the accused individual may present a danger or threat to the health or safety of him/herself or others;

3. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder;

4. Any situation that is detrimental to the interests of the University; and/or

5. Any online postings or other electronic communication, including, but not limited to, cyber-bullying, cyber-stalking, cyber-harassment, etc.

B. Standard of Proof

In all cases of alleged violations of University policy, the standard of proof is the preponderance of the evidence (e.g., more likely than not). This standard is also employed when making determinations regarding interim restrictions/actions.

C. Definitions

1. The term "University" means Concordia University Wisconsin, Concordia University Ann Arbor.

2. The term "student" means any person who is admitted, enrolled or registered for study at the University for any academic period and/or those who may attend other educational institutions and reside in a University residence hall or attend University classes. Persons who are not officially enrolled for a particular term but who have a continuing student relationship with, or an educational interest in the University are considered "students." A person shall also be considered a student during any period while the student is under suspension from the institution or when the person is attending or participating in any activity preparatory to the beginning of school including, but not limited to, orientation, placement testing, and residence hall check-in, preseason athletic camps, summer student employees. This would include but is not limited to undergraduate, graduate, online, part-time, and full-time students.

3. The term "University official" includes any person employed by the University, performing assigned administrative or professional responsibilities including student employees (e.g., RAs) acting within the scope of his/her assigned position.

4. The term "member of the University community" includes any person who is a student, faculty member, University official or any other person employed by the University. A person's status in a particular situation shall be determined by the Chief Student Success Officer or designee.

5. The term "University premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University including adjacent streets, parking lots, and sidewalks, including sites utilized by Accelerated Learning/ Graduate Programs.

6. The term "organization" means any number of persons who have complied with the formal requirements for University recognition as a student organization (e.g., student clubs/organizations, intramural/intercollegiate teams, music/drama groups).

7. The "Chief Student Success Officer" (CSSO) is that person designated by the University President to be responsible for the administration of the Code of Student Conduct. Any question of interpretation or application of the Code of Student Conduct shall be referred to the CSSO or his or her designee for final determination.

8. The term "business day" includes all days that the regular business of the University is ongoing. This may include days and times that academic classes are not in session but the University is open for business.

9. Reporting Party: A person that makes a complaint, alleges a violation of University policy, or files a formal allegation against another person.

10. Responding Party: A person alleged to have violated University policy.

11. Advisor: See "Advisor" section for the role and expectations of advisors.

12. Abbreviations used in this code:

CSSO: Chief Student Success Officer (at CUAA or at CUW)

CU: Concordia University (includes both CUAA and CUW)

CUAA: Concordia University Ann Arbor

CUW: Concordia University Wisconsin

DOS: Dean of Students

FPH: Formal Panel Hearing

FAH: Formal Administrative Hearing

RFA: Request for Appeal

SCA: Senior Conduct Administrator

SCO: Student Conduct Officer

D. Sexual Misconduct Policy

Prohibited behavior, the adjudication process, sanctioning parameters, as well as other information can be found at the following sites:

- University Portal: my.cuw.edu (https://my.cuw.edu) or my.cuaa.edu (https://my.cuaa.edu) under Resources tab, Title IX Compliance channel
- University Web Site: www.cuw.edu (https://www.cuw.edu/about/offices/title-ix/) Title IX or www.cuaa.edu (https://www.cuaa.edu/about/offices/title-ix-sexual-harassment-policies/) Title IX

E. Residence Hall Policies

(Applies to resident students and guests in residence halls)

1. Abandoned Property and Confiscated Items: University officials have the right to confiscate any item(s) which violate University policy. These item(s) may be disposed of or held by the Office of Residence Life or the Office of Campus Safety until the end of the semester in which they were confiscated. For these held items, students must reclaim them the day they leave the halls/campus for the semester. Items not reclaimed will be considered abandoned property.

Items left in a student's room or residence hall after the student leaves the hall are considered abandoned property. Items will be disposed of after five business days if no contact is made by the student and/or the student misses an appointment to collect the item(s). Students who abandon property and cause the University additional labor to deal with this property may be charged for this work.

Left items not considered to be abandoned property include but are not limited to trash cans, toiletries, food items, cleaning supplies, small quantities of office supplies, and coins. These items will be disposed of immediately without notification.

All alcohol and tobacco products will be discarded immediately. Weapons will be held by Campus Safety and disposed of or returned at the discretion of that office. Road signs will be returned to the municipal highway department.

2. Appliances: Only University-approved appliances are permitted in the residence halls. For questions about any appliance or device, see the Residence Life staff. A list of appliances can be found at:

CUW (https://www.cuw.edu/life/residence-life/student-resources/_assets/appliances.pdf)

CUAA (https://www.cuaa.edu/life/residence-life/what-to-bring.html)

It is impossible to list all electrical appliances which are hazardous for use in the residence halls, although a general guideline is that an appliance is prohibited if it is rated over six amps (700 watts), if it has an exposed heating element, or if it is not UL listed. (Level A or B)

NOTE: Use of personal grills are not permitted on campus, unless permitted by Student Success office. Only grills provided by the University in their designated locations will be permitted.

3. Balconies: Throwing or hanging items from a balcony is prohibited. Grills are prohibited on the balconies. (Level A or B)

4. Break Period Housing: Use of residence halls without permission when closed is prohibited. (Level B or C)

NOTE: No one is allowed to live in the residence halls during break periods (as specified in the Residence Hall and Food Service Agreement) without official written permission from the Office of Residence Life. Overnight guests are prohibited.

5. Candles: Candles, incense, incense burners, flammable liquids (e.g., gas/oil), or other items that present a fire hazard are prohibited. For questions about any device, see the Residence Life staff. (Level B)

6. Cooking: Cooking in a residence hall room using anything other than the University-approved appliances is prohibited. Leaving food cooking unattended in a residence hall kitchen is prohibited. (Level B)

7. Displays: The following displays are prohibited:

a. Any alcohol containers (e.g., beer cans, liquor bottles);

b. Any drug substance, drug-related paraphernalia or drug-related images, etc.;

c. Any display that would constitute a hostile work and/or educational environment for students and/or staff in the building including something contrary to the doctrine of the Lutheran Church-Missouri Synod.

d. Any poster/signage of alcohol, drug-related materials, or provocative images. (Level A or B)

8. Entry and Search of Rooms: Failure to give access to a residence hall room when requested to do so by a University official is prohibited. (Level C)

a. The University recognizes residents' desire for privacy, particularly in the context of their living situation, and will do all it can to protect and guarantee their privacy. However, the University's designated staff member reserves the right to enter a resident's room at any time for the following purposes:

i. To determine compliance with all relevant health and safety regulations (e.g., fire alarms, lock downs, health and safety checks, etc.);

ii. To provide cleaning and/or pest control;

iii. To conduct an inventory of University property;

iiii. To silence unattended loud alarms and music;

v. Where there is an indication of danger to life, health, and/or property;

vi. Where there is a reasonable cause to believe that a violation of University policy(s) is occurring or has occurred;

vii. To search for missing university or student property; and/or

viii. To perform maintenance work. For most maintenance concerns, prior notice will be given whenever possible.

b. For a search to take place, conditions for room entry must exist, and permission from the Director of Residence Life, Residence Hall professional staff, the CSSO, Dean of Students, Director of Campus Safety or a designee will be obtained. A room check may be done by a member of Residence Life or Campus Safety where warranted, per the Housing Agreement Terms. Items that violate university or housing regulations may be confiscated.

9. Furniture: The following are prohibited: (Level B)

a. The arrangement of furniture and other items which restricts the efficient egress from a room;

b. The stacking of university furniture (except as designed by manufacturer) ;

c. Having more than two beds bunked on one fixture;

d. Removing any university-issued furniture from a room; and

e. The construction of any loft, partition, or mounted shelves.

10. Guest Responsibility & Cohabitation: Resident students are expected to register their guests each time with Campus Safety. A guest is anyone not officially assigned to the room by the Office of Residence Life. Guests may spend up to three nights total per month on campus. The host resident is personally and financially responsible for all the actions and behaviors of all of her/his guest(s). The host is responsible for informing guest(s) of the policies and procedures of campus housing. Guests must abide by University and residence hall policies and procedures at all times. The host is accountable and may be subject to disciplinary action if her/his guest violates a policy or procedure. Guests who exhibit inappropriate behavior as determined by Residence Hall staff or Campus Safety, may be required to leave campus at their own expense or at the expense of the host resident. Students are accountable for any and all violations their guests may commit while visiting them. (Level B or C)

NOTE 1: Cohabitation (i.e., spending the night) by members of the opposite sex is prohibited.

NOTE 2: Students who permit another person or student who has been expelled, suspended, removed from housing or otherwise banned from the residence halls or any campus access to the building or a room will be subject to immediate removal from housing and possible additional sanctions.

11. Laundry Room: The use of residence hall laundry rooms by nonresident students is prohibited. (Level A or B)

12. Network/Computing: In addition to the University Computing Policy, residence hall students are prohibited from installing any hubs, wireless access points, switches or other devices that may affect network activity. For questions about any device, see the IT staff. (Level B or C)

13. Noise/Quiet Hours: Failure to observe quiet hours is prohibited. This includes but is not limited to loud verbal and physical behavior, playing music/radio, television or other audio equipment such that the noise is disruptive to others. Playing sports in the halls is also prohibited. Please note the Visitation Hours in #16 are different from Quiet Hours. (Level A or B)

Quiet Hours are as follows: Sunday-Thursday: 10:00 p.m.–9:00 a.m.

Friday-Saturday: Midnight–9:00 a.m.

NOTE 1: Each resident of the hall has the right to live (study, sleep, etc.) in a quiet environment, thus courtesy hours are in effect 24 hours a day. During courtesy hours, any noise that infringes upon the students' right to a quiet and peaceful environment shall be a violation of quiet hours. Any student disturbed by noise during courtesy hours should first communicate with the person responsible for the source of the noise.

NOTE 2: Continuous quiet hours are in effect during finals week each semester beginning Sunday at 10:00 pm and ending Friday at 10:00 am. A daily break period will be set by Residence Life staff. During the break period, noise levels may be a bit louder, but courtesy hours still apply.

14. Odor: Any aroma of such intensity that it becomes apparent to others is prohibited. (Level A, B, or C)

15. Room/Hall Change: Unauthorized room or hall changes are prohibited. Residents must receive official authorization from the Office of Residence Life to occupy or change rooms. Any student who occupies a room without prior written authorization will be considered in violation of this policy and may incur a fee. (Level B + return to original room)

NOTE: Alterations of a resident hall room and/or facility, including but not limited to painting, building partitions, altering electrical/cable boxes and outlets are prohibited. (Level B + cost of repairs)

16. Visitation: Presence of an opposite gender person (including non-students) in a residence hall at times different from the established visitation hours or giving access to a person of opposite gender to a residence hall or room at times different from the established visitation hours is prohibited. Visitation hours apply to some resident hall lounges. (Level A: for up to 30 minutes after/before visitation hours; Level B: for violations occurring more than 30 minutes after or before visitation hours)

NOTE 1: Resident students may have visitors in their room/hall at times specified below. The University reserves the right to restrict any nonresident student to Visitation Hours.

NOTE 2: Visitation Hours also apply during all break periods and summer months.

Visitation Hours are as follows: Sunday – Thursday: 8:00 a.m. – 1:00 a.m.

Friday – Saturday: 8:00 a.m. – 2:00 a.m.

17. Windows: Tampering with, blocking or opening windows that require tools to open is prohibited. Throwing or dropping items from any window is prohibited. Hanging items outside windows without

prior permission is also prohibited. Removing screens or damaging screens is prohibited. (Level B + cost of repairs)

F. University Policies (applies to ALL students)

18. Aiding or Abetting: Attempting, aiding, abetting, or being an accessory to an act is prohibited by the University shall be considered the same as a completed violation. Students who anticipate or observe a violation of the Code of Student Conduct are expected to remove themselves from association or participation and bystanders are encouraged to report the violation. (Level A, B, C, or D)

NOTE 1: If alcohol is found in a resident's room or common area, and PBT = 0, all residents and guests will be subject to the student code of conduct.

19. Alcohol: Students are expected to comply with all University policy, state and local laws.

NOTE: As Christians, we view the care of our bodies as part of our total context for life. God in His Word, gives life and sustains it (Genesis 1:27). He affirms the proper and good care of our bodies as His temple (I Corinthians 6:19-20). As such, He forbids misuse, overuse, and abuse of substances that are harmful for our bodies (2 Corinthians 7:1). Further, God invites and commands us to care for each other, assisting our neighbor in avoiding the abuse of any drug or substance that harms the body and the mind (John 13:34-35). **Therefore, Concordia University is a drug-free and dry campus.**

Please refer to the Resource List at the end of this document to read state alcohol laws.

a. Use, possession, manufacturing, distribution of alcoholic beverages, and possession of alcohol containers on University premises is prohibited.

NOTE 1: The University will also consider ALL individuals found in a location where an alcoholic beverage is present to be in possession of an alcoholic beverage. This would include locations off campus (e.g., underage students drinking in a bar or at a house party).

NOTE 2: The University reserves the right to, as a condition of enrollment 1) require an offender to enter a University drug or alcohol program, 2) require an offender to get a drug or alcohol assessment and, if deemed appropriate, complete an approved rehabilitation program, and/or 3) ask participants of co-curricular activities to submit to drug testing, which may be at the student's own expense (failure to comply with this request will result in the participant being barred from further participation in that activity).

NOTE 3: Alcohol includes beverages of low-alcohol content (e.g., "near" beer, cooking sherry/wine).

NOTE 4: Any person who is encountered by Campus Safety and is suspected of having consumed alcohol will be subject to a Preliminary Breath Test (PBT) for the purpose of determining if alcohol has been used by the student. Any student who refuses to provide a PBT breath sample will be considered in violation of this alcohol policy.

NOTE 5: Drinking paraphernalia that contributes to over and mass consumption including beer pong tables, beer bongs, or shot glasses is prohibited.

b. Possession or consumption of alcohol by anyone under the age of 21 is prohibited.

c. Providing alcohol or access to alcohol to anyone under the age of 21 is prohibited. Students hosting (e.g. name is on lease or rental agreement) off-campus events will be considered in violation of providing alcohol and/or access to alcohol if persons under the legal drinking age are present.

d. Violating any provision of the Code of Student Conduct while under the influence of alcohol constitutes a violation of this policy.

e. Displays including but not limited to: alcohol containers (e.g., beer cans, liquor bottles), poster/flags/signage (banners, lighted and/or three dimensional) of alcohol brands/alcohol reference.

f. Common containers (e.g., kegs) are prohibited on campus.

g. Operating a motor vehicle under the influence of drugs or alcohol (DUI/OWI) on campus or off campus is prohibited.

NOTE: Underage students who possess alcohol and/or drugs and/or drink while operating a motor vehicle will be considered driving under the influence.

h. Amnesty: In certain circumstances, students may qualify for amnesty. See the Medical Amnesty Policy as outlined in Article III.

20. Animals/Pets: Pets are not allowed in the resident halls with the exception of fish. The capacity of the fish tank cannot exceed 15 gallons. Animals are prohibited from the campus and at University-sanctioned events off campus. All service animals or emotional-support animals must be approved by the University, per its CU Policy and Guidelines for Emotional-Support Animals. (Level A-D)

NOTE: The University is committed to compliance with state and federal laws as the laws relate to individuals with disabilities. See the University's "Emotional-Support Animal Policy."

21. Arrest Policy: Students who are arrested or taken into custody by any law enforcement agency are required to inform the Dean of Students or other appropriate university official (e.g., program director, coach) within 48 hours of their release. Students arrested may be subject to University disciplinary action when their conduct violates University standards. (Level B)

22. Bicycles: Bicycle riding, skateboarding, roller skating, rollerblading, scooter riding, Hoverboards (see note below), shoes with wheels (e.g., "heelies"), remote control toy cars, or other similar behavior within the hallways, rooms, or within the buildings of the University is prohibited. (Level A)

NOTE: Possession or use of Hoverboards is prohibited on campus.

23. Computer/Technology Misuse: The theft or other abuse of computer time/resources is prohibited. This includes but is not limited to: (Level B, C, D, E)

a. Unauthorized entry into a computer to use, read or change the contents, or for any other purpose;

b. Unauthorized transfer of a file;

c. Unauthorized use of another individual's identification or password;

d. Use of computing facilities to interfere with the work of another student, faculty member or University official;

e. Use of computing facilities to send obscene, harassing, or abusive messages;

f. Use of computing facilities to view pornographic material;

g. Use of computing facilities and resources to interfere with normal operation of the University computing system;

h. Use of computing facilities and resources in violation of copyright laws;

i. The reproduction (still picture, motion picture or video) without permission from the Marketing office or President/ Vice President of the University of any University icon, facility, and/or landmark which is posted electronically in a public venue may be subject to disciplinary action as outlined in this section; and/or

j. Any violation of the University's "Acceptable Use Policy." (see here (https://www.cuw.edu/about/offices/compliance/privacy-policy/acceptable-use-policy.html))

NOTE 1: This includes, and is not limited to, acts originating on University-owned computers in and out of student labs and privately owned computers in the resident hall rooms using University networking. All students are required to sign and follow an acceptable use policy annually.

NOTE 2: The University and its faculty and staff do not monitor online communities and e- communication. Further, the University does not forbid faculty, staff and students from joining and participating in online social communities as individuals not acting as agents of the University. However, any behavior that violates this Code which is brought to the attention of a University official will be treated as any other violation and will be referred through channels outlined in this Code.

24. Damage to Property: Damage to or destruction of property or actions that have the potential for such damage or destruction is prohibited. Conduct which threatens to damage, or creates hazardous conditions such as dropping, throwing, or causing objects or substances to fall from windows, doors, ledges, balconies or roofs is also prohibited. This includes, but is not limited to, unauthorized application of graffiti, paint, etc. to property or removal of window restrictors, security screens, etc. (Level A-D + cost of repairs)

25. Disruptive Activity: No person or organization may interfere with, disrupt normal activity and operations of, or promote the interference or disruption of students, faculty, administration, staff, or the educational mission of the University or its buildings, equipment or facilities. Any form of expression that materially interferes with such activities and operations or invades the rights of persons is prohibited. (Level A, B, C, D or E)

a. Non-compliance with reasonable time, place, or manner restrictions on expression is considered a violation of this section. Such activity includes, but is not limited to, behavior in a classroom or instructional program that interferes with the instructor or presenter's ability to conduct the class or program, or the ability of others to profit from the class or program.

b. To remain in the vicinity of activity that is disrupting normal University functions when requested to leave by a University official is prohibited. Bystanders, if their presence incites or adds to the disruption, may be in violation of this policy as well.

c. No student shall engage in disrespectful, lewd, obscene, or uncivil behavior directed toward a University official, regardless of whether the official is on duty or off, or CU students, including but not limited to verbal statements or written communication (including social media).

26. Dress: As Christians, we view the care of our bodies as part of our total context for life. God in His Word, gives life and sustains it (Genesis 1:27). He affirms the proper and good care of our bodies as His temple (1 Corinthians 6:19-20). Inappropriate dress such that the attire could be considered provocative or would make others uncomfortable is prohibited. Recognizable gender parts must be covered at all times in public areas. (Level A or B)

NOTE: Please remember that shoes must be worn in all academic, administrative, and campus food service locations.

27. Drugs: Students are expected to comply with all University policies as well as all federal, state and local laws.

NOTE: As Christians, we view the care of our bodies as part of our total context for life. God in His Word, gives life and sustains it (Genesis 1:27). He affirms the proper and good care of our bodies as His temple (I Corinthians 6:19-20). As such, He forbids misuse, overuse, and abuse of substances that are harmful for our bodies (2 Corinthians 7:1). Further, God invites and commands us to care for each other, assisting our neighbor in avoiding the abuse of any drug or substance that harms the body and the mind (John 13:34-35). Therefore, **Concordia University is a drug-free and dry campus.**

a. The unauthorized possession, use, manufacture, sale, or distribution of any counterfeit, illegal, dangerous, "designer," or controlled drug or other substance is prohibited. This includes prescription medications. Violating any other provision of the Code of Student Conduct while under the influence of any illegal or illegally obtained drug is also a violation of this policy. The possession of drug paraphernalia is also prohibited. A diluted, late, missed, forged, or failed university required drug screen will constitute a violation of this policy.

b. Amnesty: In certain circumstances, students may qualify for amnesty. See the Medical Amnesty Policy. (see Article III for complete policy)

NOTE 1: The University will also consider ALL individuals found in a location where a drug is present to be in possession of a drug. This would include locations off campus (e.g., underage students drinking in a bar or at a house party). The University reserves the right to, as a condition of enrollment 1) require an offender to enter a University drug or alcohol program, 2) require an offender to get a drug or alcohol assessment from a licensed agency and, if deemed appropriate, complete an approved rehabilitation program, and/or 3) ask participants of co-curricular activities to submit to drug testing, which may be at the student's own expense (failure to comply with this request will result in the participant being barred from further participation in that activity).

NOTE 2: Students who test positive to an athletic drug screen will be referred to the Dean of Student's office for possible violations of the code of student conduct.

NOTE 3: Occasionally, local, state, and/or federal laws do not align. When that is the case, the University must establish a position that best allows its mission to be fulfilled in the University community. For example, the University does not recognize medical marijuana as an exception to its drug policy.

28. Failure to Comply: Students and student organizations are expected to comply with and respond appropriately to the reasonable requests of University (including but not limited to such things as new or temporary guidelines) as well as its officials in the performance of their duties. Students are expected to appear at conduct hearings to respond to allegations or testify as a witness. A failure to properly comply with or complete a sanction or obligation resulting from a conduct hearing or adjudication may also be considered failure to comply with an official request. (Level A, B, C, D, or E)

29. Fire Alarms and Fire/Life Safety Equipment: No person shall make, or cause to be made, a false fire alarm or emergency report of any kind. No person shall tamper with, damage, disable or misuse fire/life safety equipment including, but not limited to, fire extinguishers, fire hoses, fire alarms, fire doors, AEDS, bleeding control bags and Narcan. Tampering with or disabling any fire/life safety equipment in a residence hall may result in a student's immediate removal from University Housing and a fine. Tampering with or disabling any fire/life safety equipment on campus may result in University Suspension and fines. Students are required to evacuate any University building when a fire alarm is sounding and/or when instructed to do so in an emergency or drill by University staff. (Level A, B, C, D, E + municipal fee for MFD response)

NOTE 1: No lights or decorations may be hung across ceiling or on door.

30. Fraud/Lying: Lying or fraudulent behavior in, or with regard to, any transaction with the University, whether oral or written, is prohibited, including but not limited to misrepresenting the truth before a hearing of the University or knowingly making a false statement orally or in writing to any University official. (Level B, C, D + retraction when appropriate)

31. Gambling: The University prohibits gambling, as defined by state law. (Level A, B, C)

***32. General Laws*:** Students or student organizations involved in alleged violations of any federal, state, or local laws may be subject to disciplinary action. These allegations will be adjudicated using the University standard of proof and procedure. Disciplinary action imposed by the University may precede and/or be in addition to any penalty imposed by an off-campus authority. (Level A, B, C, D, E)

33. Harassment: Conduct that creates or attempts to create an intimidating, hostile, or offensive environment for another person is prohibited. Such conduct includes, but is not limited to, action(s) or statement(s) (including social media) that threaten, harm or intimidate a person, or any other form of unwanted contact. (Level A, B, C, D, E and/or Severity Level 1, 2, 3)

NOTE: Behaviors that constitutes an expression of hostility against a person or property of another due, including, but not limited to the targeted person's race, religion, sexual orientation, ethnicity, national origin, gender, age, marital status, political affiliation, or disability. These acts or behaviors may not rise to the level of a crime, or a violation of state or federal law, but may contribute to creating an unsafe, negative, or unwelcome environment for the targeted person.

34. Harm to Person(s): Actions which result in physical harm, have the potential for physically harming another person, which create conditions that pose a risk of physical harm to another, or which cause reasonable apprehension of physical harm are prohibited. Conduct that threatens to cause harm to persons, or creates hazardous conditions for persons, is also prohibited. (Severity Level 1, 2, 3)

Harm to person(s) includes but is not limited to:

a. physical fights; physical altercations

b. pranks which injure or have the potential of injury to another person

c. health and safety (such as exposure to something harmful)

NOTE: Fighting is considered a form of "Harm to Person(s)." The University expects that students will withdraw from situations that may result in fighting. Students always have the option of contacting a University official to assist with a situation. Therefore, the University will charge both/all students who participate in fighting. The burden of proof will fall upon the student to demonstrate that he/she took reasonable measures to withdraw from the situation.

35. Hazing: An act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy and/or complicity in the presence of

hazing are not neutral acts; they are violations of this policy. (Level A, B, C, D, E and/or Severity Level 1, 2, 3)

Hazing includes, but is not limited to:

a. All forms of physical activity deemed dangerous or harmful;

b. The application of foreign substances to the body;

c. Scavenger hunts involving illegal activities, kidnapping, or ditching a member of the community;

d. Depriving students of sleep;

e. Not providing decent and edible foods;

f. Depriving students' means of maintaining personal hygiene;

g. Forcing, coercing, pressuring, or requiring students to consume alcohol or foreign or unusual amounts of substances;

h. Nudity or forcing students to dress in a degrading manner; and/or

i. Psychological hazing: any act which is likely to compromise the dignity of a student; cause embarrassment or shame to a student; cause a student to be the object of ridicule or malicious amusement; or inflict psychological or emotional harm.

36. Host Responsibility: Students are accountable for any and all violations their guests may commit while visiting the University student. (Level A, B, C)

NOTE 1: Current students may not host persons banned from the campus or any facility (e.g., Fieldhouse, academic buildings, residence halls), including but not limited to individuals whose housing agreements have been cancelled or revoked for any reason. Resident students may not host banned persons in the residence halls.

NOTE 2: Hosting a relative or non-relative child without parental supervision is prohibited (i.e., baby-sitting). Exceptions to this policy may be granted by a University official tasked with the supervision of a given facility (e.g., Resident Director for a residence hall, Director of Athletics for the Fieldhouse, Coordinator for Student Activities for the Student Center).

37. Interference/Obstruction of the Conduct/Title IX Process: Interfering in any manner with the student conduct/Title IX process is prohibited. Examples of violating this policy include, but are not limited to: (Level C, D, or E)

a. Failing to participate in a hearing or investigation;

b. Colluding with or intimidating witnesses;

c. Intimidating any member of a student conduct panel or hearing board; and

d. Providing false information or intentionally omitting relevant information from an investigation or hearing.

e. Sharing case information publicly through written, verbal, social media to those not involved in the case who are not acting as a resource or advisory role.

38. Littering: Littering on University premises is prohibited, including but not limited to the improper disposal of personal garbage (e.g., placing trash in non-designated areas). (Level B + clean-up costs)

39. Misuse of Documents: Forgery, alteration, or misuse of any document, record, or officially- issued or legal identification is prohibited. (Level B, C, D, E)

40. Misuse of Student Identifications: Providing access to unauthorized persons, allowing another person to use your university issued student ID, failing to present a Student ID card when requested by a University official acting in the performance of his or her duties, or possessing or using a fraudulent ID card, may subject the owner and/or the holder to disciplinary action. (Level A, B, C, D, or E)

41. Misuse of Keys: No person may use or possess any University key without proper authorization. No student is allowed under any condition to have a University key duplicated. (Level A, B, C, D, or E)

42. Motor Vehicles: Operating a motor vehicle on University property in a manner that causes or might potentially cause physical harm to an individual or property is prohibited. Failure to register a vehicle with Campus Safety, parking a vehicle in unauthorized parking lots or in unauthorized areas (e.g., parking outside striped double parallel lines and in restricted parking areas), driving or parking a vehicle on the grass or in an unsafe manner anywhere on campus is prohibited. Driving on University-owned or controlled property without a valid driver's license is prohibited. (Level A, B, C, D, or E)

NOTE 1: HABITUAL VIOLATOR

Habitual offender is defined as an individual who receives three or more parking citations in an academic year (July 1-June 30).

- Citations 3 and 4 - $20.00 Habitual Offender surcharge will be automatically assessed.
- Citation 5 - $20.00 Habitual Offender surcharge will be automatically assessed and tow warning sticker will be affixed to the driver side window of the vehicle advising the owner it will be towed if cited again.
- Citations 6 through 9 - $50.00 Habitual Offender surcharge will automatically be assessed and vehicle will be towed off campus at owner's expense.
- Citation 10 and all subsequent citations - $100.00 Habitual Offender surcharge will automatically be assessed and the vehicle will be towed off campus at the owner's expense.

For purposes of the Habitual Offender Towing Policy, citations that have been dismissed upon appeal or voided are not counted. A citation that is issued as a warning with no monetary fine is counted in determining Habitual Offender status.

When the owner of the vehicle is a known student, faculty or staff member, they will be notified via email that their vehicle has been towed off campus. The vehicle owner will be responsible for all costs associated

with the towing and storage of their vehicle. Concordia University is not responsible for damages caused by towing and will not provide or arrange for transportation to the towing facility to recover a vehicle after it has been towed off campus.

> **NOTE 2:** The student/faculty/staff registered owner of a vehicle as determined by on campus vehicle registration records and/or Department of Motor Vehicle records will be considered responsible for any on campus parking or traffic citation issued by Concordia University Wisconsin Campus Safety.
>
> **NOTE 3:** Students may be referred to the Dean of Students Office for a violation of this section.

43. Posting: Publication and/or dissemination of materials on campus which have not been previously approved by Concordia University representatives are prohibited. (Level A, B, C)

44. Retaliation: Retaliation is defined as any adverse action taken against a person participating in a protected activity because of his/her participation in that protected activity. (Level A, B, C, D and/or Severity Level 1, 2, 3)

> **NOTE 1:** Retaliation against an individual for alleging harassment or discrimination, supporting a complainant, or for assisting in providing information relevant to a claim of harassment or discrimination is a serious violation of University policy and will be treated as an instance of harassment or discrimination.
>
> **NOTE 2:** Acts of alleged retaliation should be reported immediately to the Title IX Coordinator, to the CSSO, Dean of Students and/or Campus Safety and will be promptly investigated. The University will take all appropriate actions to protect individuals who fear that they may be subjected to retaliation.

45. Searches: Failing to comply with a reasonable request to search is a violation of this policy, including events held on University premises or at off-campus University-sponsored functions. Students who are in possession of a bag, purse, backpack, or any other container where contraband, weapons, alcohol, or any other prohibited substance could be contained is subject to search by a University official. This includes, but is not limited to, vehicles parked on University premises, or at off-campus University sponsored events, when there is reason to believe the vehicle contains any prohibited item. (Level B, C, D, or E)

46. Sexual Behavior: Consensual sexual behavior outside of marriage is prohibited. Because sexual behavior can involve a wide range of behavior the Dean of Students (or the Dean's designee) is charged to evaluate each case individually. (Level A, B, C, D, or E)

> **NOTE 1:** As Christians, we embrace the proper place of sexuality within God's plan, viewing sex as part of our total personality and part of the total context of life. As His good gift to humanity, God in His Word affirms sexual union only in the marriage relationship of one man and one woman where their sexual intimacy performs various functions, including the building of the relationship through physical and emotional communication and sharing. (Genesis 2:18-25; Matthew 19:4-6) This physical, sexual sharing is only one part of a total relationship in a lifelong process which also involves emotional, social, spiritual and intellectual aspects, getting to know one another as total persons, developing in all of these areas. (Ephesians 5:19-33) As each person grows and matures, there is always more to learn about him or her. Therefore, sharing one's self sexually (e.g., sexual intercourse) outside of marriage would be inappropriate and unhealthy. (Colossians 3:1-17)
>
> Students are expected to comply with all University policies as well as all federal, state and local laws.
>
> **NOTE 2:** Pornography. The viewing and/or possession of pornography (in any form) will also be considered a violation of this policy. The focus of pornography is purely sexual and thus does not promote individuals getting to know one another within the context of a healthy Christian relationship or promote individuals in developing their own Christian moral fiber.
>
> **NOTE 3:** Sexual Misconduct. See Title IX information (https://www.cuw.edu/about/offices/title-ix-sexual-harassment-policies/)

47. Theft: Theft or attempted theft of any kind, including seizing, receiving, or concealing property with knowledge that it has been stolen, is prohibited. Sale, possession, or misappropriation of any property or services without the owner's permission is also prohibited. (Level B for assessed value of property up to $100; Level C for assessed value of property > $101 - $2499; Level D for assessed value of property $2500 and above)

48. Tobacco/Smoking: Concordia promotes a healthy, Tobacco-Free Campus Community. The use of tobacco products/vaping materials/inhalants is prohibited in all University vehicles, buildings, facilities, and the areas immediately around all entrances and the loading dock at all times. Use of tobacco products/vaping materials/inhalants has to be outside and at least a 100 foot perimeter away from any University vehicles, buildings, facilities, and the areas around all entrances and the loading dock except where there are designated smokers outposts placed. Items related to this policy include but are not limited to: cigarettes, electronic cigarettes, cigars, pipes, hookahs, personal aromatherapy devices and smokeless/chewing tobacco. (Level A or B + clean-up costs as appropriate)

> **NOTE:** Possession of electronic cigarettes/vape pens are prohibited in the residence halls.

49. Unauthorized Presence in or Use of University Facilities or Property: Unauthorized entry into, presence in, or use of University facilities, residence halls, community shower/bathrooms, equipment or property (includes parking lot, table space, and outside green space). Use of University facilities or property that has not been reserved or accessed through appropriate University officials is prohibited. (Level A, B, C, D, or E)

NOTE: Recognized groups are through our Student Government Association and Student Success Office.

50. Unmanned Aircraft Systems (UAS): The use or operations of unmanned aircraft systems (UAS) on campus is prohibited. This includes un-crewed aerial devices and drones. Students seeking exceptions for use of such devices for recreational or university-related purposes may apply to Student Success for

limited approval. Any use of these devices must comply with local, state, and federal regulations and requires the prior filing and approval of an operating plan.

NOTE: Approval forms can be found in the Forms Repository under the Resource Tab in the Portal, the Student Success office, or the Campus Safety office.

51. Weapons/Explosives: The unauthorized possession or use of firearms, ammunition, or weapons of any other kind (including but not limited to five-inch blade knives, slingshots, metal knuckles, straight razors, paintball guns, BB guns, air pistols, Tasers, stun guns, batons, brass knuckles, folding knives with lock blades) is prohibited. Look-alike weapons are also prohibited. The ignition or detonation of anything which could cause damage to persons or property or disruption by smoke, explosion, noxious odors, stain, corrosion or similar means is prohibited. Possession of anything in the nature of fireworks, explosives or chemical explosives is prohibited on any property owned or operated by the University or off-campus University-sponsored events without prior University authorization. (Level A, B, C, D, or E and/or Severity Level 1, 2, 3)

NOTE 1: Food preparation knives and safety (disposable) razors for the purpose of shaving, are exempt from this policy.

NOTE 2: Any student who violates this section of the Student Conduct Code shall be notified of the violation and will be referred to the Dean of Students Office. CU may also refer the matter to the local police for prosecution. Any weapon on campus in violation of this Policy may be confiscated by Campus Safety and turned over to the local police.

NOTE 3: Any student with a reasonable basis for believing another person is in possession of a firearm, ammunition or weapon of any kind in violation of this Policy is required to report the suspected act immediately. Reports should be made to the Police Department (9 + 911 from a campus phone), or Campus Safety CUW: (262-243-4344); CUAA (734-995-7371). Students may be asked to provide a written statement regarding the weapon incident to Campus Safety within 24 hours of the incident. Any student who makes such a report in good faith will not be subjected to retaliation of any kind; however, failure to report such activity may result in a referral to the Dean of Students Office. A student may choose to remain anonymous by using the Campus Safety Tip Line Call CUW: (262-243-2200); CUAA (734-995-7371) when making the initial report to Campus Safety.

52. Doors: The following situations with doors are prohibited: (Level A, B, C, or D)

a. Propping open campus entrances or exterior and interior floor/wing doors of the residence halls is prohibited.

b. Disabling or tampering with a door latch mechanism that prevents the door from latching/locking.

c. Forcibly opening locked doors.

Note: The person is responsible for the financial costs of the repairs for all damages caused.

d. Utilizing an alarmed door for a non-emergency reason.