

**2018-2019**

**Student Handbook**



**Hanover College**

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## Introduction & Purpose

The Hanover College community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The student conduct program within the Office of Student Life is committed to an educational and developmental process that balances the interests of individual students with the interests of the College community.

A community exists on the basis of shared values and principles. At Hanover College, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the *Student Handbook*. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of the College community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in violation of the rules below, campus conduct proceedings are used to assert and uphold the *Hanover College Principles and Student Code of Conduct*.

The student conduct process at the College is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of College policy without information showing that it is more likely than not

that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

## ~Office of Student Life

## Jurisdiction

Students at the College are provided a copy of the *Student Handbook* annually in the form of a link on the College website. Hard copies are available upon request from the Office of Student Life. Students are responsible for knowing and abiding by the provisions of the *Student Handbook*.

The *Student Handbook* and the student conduct process apply to the conduct of individual students and all College-affiliated student organizations. For the purposes of student conduct, the College considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in the College. The College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll **[and/or obtain official transcripts and/or graduate]** and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the College may invoke these procedures and should the former student be found responsible, the College may revoke that student's degree. The *Student Code of Conduct* applies to behaviors that take place on the campus, at College-sponsored events and may also apply off-campus when the Dean of Students or designee determines that the off-campus conduct affects a substantial College interest. A substantial College interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself or others; and/or

- 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; and/or
- Any situation that is detrimental to the educational mission and/or interests of the College;

The *Student Code of Conduct* applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. **The Code may also be applied to resident non-students, campers and high school bridge/extension/partner/dual-credit and continuing education programs by contractual agreements.** Visitors to and guests of College may seek resolution of violations of the *Student Code of Conduct* committed against them by members of College community. There is no time limit on reporting violations of the *Code of Student Conduct*; however, the longer someone waits to report an offense, the harder it becomes for College officials to obtain information and witness statements and to make determinations regarding alleged violations. Though anonymous complaints are permitted, doing so may limit the College’s ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Student Life and/or to Campus Safety. **A responding student facing an alleged violation of the *Student Code of Conduct* is not permitted to withdraw from the College until all allegations are resolved.**

College email is the College’s primary means of communication with students. Students are expected to regularly check their campus email for important information.

## Hanover College Principles

The students, faculty, staff and trustees of Hanover College seek to promote academic, personal, and moral growth within a safe, challenging and responsive community.

To this end, each is committed to the following:

### PURSUIT OF ACADEMIC EXCELLENCE

1. I will seek the breadth and depth of knowledge appropriate to a liberal arts education, will seek to foster intellectual vitality, and will practice academic integrity.
2. I will participate in the open and free exchange of ideas necessary for a meaningful education and a successful democracy.

### PURSUIT OF PERSONAL EXCELLENCE

3. I will pursue physical, moral, emotional, and spiritual well-being, with respect for the Christian and liberal arts traditions of the College.
4. I will practice self-respect and self-discipline, and will seek to grow in maturity and independence.

### RESPECT FOR ONE ANOTHER

5. I will work to create a safe campus community, free from unjust coercion, harassment, and other threats to persons or property.
6. I will practice honesty toward, tolerance of, and compassion for others, working to support the well-being of other members of the College community.

### COMMUNITY RESPONSIBILITY

7. I will participate in decision-making on rules and procedures, and will encourage others to do the same.
8. I will be a good steward of the College, the environment, and the world community.

### ACCOUNTABILITY

9. I will know and adhere to the rules of the College and to state and federal laws, accepting accountability for my own actions and encouraging others to be accountable for theirs.
10. I will practice justice, fairness and respect in my responses to violations of these commitments and of College rules by community members.

As members of the Hanover College community, we will make decisions together with those who will be most affected by them, we will seek the greatest amount of relevant input possible in our decision-making, and, to the extent possible, we will encourage decision-making on rules and procedures by those who will be most affected by them.

## **FERPA (The Family Educational Rights and Privacy Act)**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records:

- 1) The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit to the Registrar or Academic Dean a written request that identifies the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- 2) The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identifying the part of the record they want to change, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- 3) The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a

person employed by the College in an administrative position, academic or research position, support staff (including campus security and health services personnel), a person or company with whom the College has contracted (such as an attorney or auditor), a person serving on the board of trustees, or an individual serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their tasks.

A school official has a legitimate educational interest if the official needs to review the education record in order to fulfill their professional responsibility.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by Hanover College to comply with the requirements of FERPA. FERPA contact information can be found at: [www.ed.gov/policy/gen/guid/fpco/ferpa/index.html](http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html)  
Institutions may disclose information on a student without violating FERPA regulations through what is known as "directory information." Hanover College considers the following information as directory information: Name, Major Field of Study, Dates of Attendance (current and past), Degrees and Awards received, Participation in Officially Recognized Activities and Sports, Weight and Height of Members of Athletic Teams.

## **Withdrawal from Hanover College**

### **Withdrawal from Hanover College**

If a student is contemplating withdrawing from the College, an appointment should be made with the Dean of Students for advice concerning procedures to be followed. Because such a decision has numerous and broad implications for the student, they are advised to discuss the matter with their faculty advisor, and perhaps family, other members of the faculty and staff before making a decision. Students may withdraw from the College without academic penalty prior to the end of the ninth (9<sup>th</sup>) week of an enrollment period. After this period, a student may withdraw from the College without academic penalty only for reasons of illness, family crises, or other problems outside of the student's control, and only with the prior consent of the Registrar. The withdrawal form should be completed at least one week prior to your departure from campus. It can be found on your My Hanover account, under the "campus life" tab.

### **Medical Leave Policy**

Situations may arise that require a student to leave campus and miss classes for a brief period of time (e.g. contagious illness, injury, family emergency). In such situations, the student is asked to make responsible arrangements with their professors in a timely manner. The Registrar and/or other campus officials (e.g. Health Services Director, Counseling Services Director, Campus Chaplain) can assist in contacting professors and documenting the legitimacy of the situation. Should a situation require a student to leave campus for an extended period of time (two (2) or more weeks) or if it appears that the situation may prohibit the student from completing the term, they should contact the Registrar to determine if a Medical Leave of Absence is appropriate.

### **Voluntary Medical Leave of Absence Policy**

In consultation with Student Health Services and or Counseling Services, the Registrar will determine whether a Medical Leave of Absence will be granted, the length of time granted, and any conditions for readmission.

The Registrar is responsible for notifying the student in writing of the determination and for notifying all other associated offices, departments, instructors and/or advisors.

Upon approval from the Registrar, the student must complete the Medical Leave of Absence/Withdrawal Form (located in your My Hanover account, under the "student" tab). The student should complete the Medical Leave of Absence/Withdrawal Form before leaving campus or, in cases of emergency, as soon as they are able to do so.

A student who is granted a leave of absence may still have financial obligations to the College. The student should speak with the Business Office and the Director of Financial Aid to clarify their financial obligations.

A student who is granted a leave of absence due to a medical condition will often be asked to provide documentation from a treating health care professional attesting the student's medical stability and readiness for return. Thus, the student must contact the Registrar and supply any documentation necessary to verify that the conditions for readmission have been met prior to returning to campus.

A student who is denied a requested leave of absence or who is denied readmission following a leave of absence may appeal that decision to the Dean of Students.

### **Involuntary Medical Leave for Reasons of Personal or Community Safety**

In situations in which: a) a student engages in life threatening or potentially life threatening behaviors due to a medical condition, or b) in situations in which the student's medical condition or associated behaviors pose a significant disruption to the learning environment, the College reserves the right to invoke an involuntary medical leave.

### **Procedures**

1. The student will be notified by the Dean of Students of the reasons for involuntary leave along with the conditions for return.
2. Typically, the conditions for return will include:
  - a. student is medically and psychologically stable
  - b. student no longer poses a threat to self or others
  - c. student has sought appropriate treatment from a licensed health care or mental health practitioner
  - d. The treating health care/mental health care professional submits a written verification of the treatment and attests to the readiness of the student to return to campus without on-going supervision or treatment.
3. Prior to returning to campus, the student will need to meet with the Dean of Students, Director of Health Services and/or Director of Counseling Services. In consultation with the Director of Health Services and/or Director of Counseling Services, the Dean of Students will determine if the student has met the criteria for return.

In cases of involuntary medical withdraw the student may appeal that decision to the Office of Student Life within 48 hours. The appeals officer shall have 24 hours to provide a response to the student's appeal.

## Classroom Policies

Attendance at all class sessions as well as the prompt fulfillment of all course assignments and other academic obligations is expected of students. Students should be aware that instructors have the authority to establish their own standards for attendance and other classroom behavior, and to enforce these standards with appropriate disciplinary action, up to and including the removal of a student from the course. Students who find it necessary to miss class or delay the submission of an assignment beyond its due date should, when at all possible, contact their instructor in advance. When an emergency situation arises which might require a prolonged absence from classes or a departure from the campus, students should notify their instructors as soon as possible. The Registrar will help students notify their instructors, inform instructors of further developments, and advise students should the absence interfere with academic progress.

### Academic Honesty

Nothing is more fundamental to the life of the College than honesty and integrity. Hanover College expects scrupulous honesty in the performance of academic work. Students must maintain at all times the highest levels of integrity in fulfilling such course requirements as writing papers, taking examinations, and completing other kinds of assignments. Because of the seriousness of the matter, and in an effort to help students become more aware of the ethical dimensions of their academic work, the faculty has adopted policies which identify various types of academic dishonesty and specify the penalties for engaging in them. Words and ideas are a writer's tools and possessions. Just as one does not take without permission another's property, one must acknowledge the source when borrowing another's words or ideas. In an effort to clarify these matters for students, the faculty has approved a document entitled, "The Use of Source Materials," which explains at length the appropriate and inappropriate use of sources for papers. This document, together with a copy of the faculty policy governing academic dishonesty, is distributed to all entering students, and additional copies may be obtained from members of the English Department or the Chair of the Student Academic Assistance Committee. When in doubt about appropriate use, however, students should ask their course instructor(s).

### Academic Dishonesty

Presenting another's work as your own or otherwise misrepresenting your own works is a form of theft and there are penalties. According to faculty action, when a student submits a paper, an examination, or any other assignment that is substantially the result of an academically dishonest procedure, the student shall receive a '0' (zero) for the paper, examination, or assignment, and their grade for the course shall be lowered not less than one letter grade. In this context, 'an academically dishonest procedure' is defined as 'any action with the intent to deceive in order to obtain an unfair advantage'. Should a student who has already been penalized for an academically dishonest procedure commit a second such offense in the same course, they shall receive a grade of 'F' for the course and be removed from it. The same or similar penalties may also be applied to students who knowingly assist others to engage in an academically dishonest procedure. Any given instance of academic dishonesty is dealt with by the instructor of the course in which it occurs. All instances of academic dishonesty are reported to the chair of the Student Academic Assistance Committee, and repeated instances of academic dishonesty will subject a student to additional penalties up to and including dismissal from the College, as outlined in the College Catalog.

## Overview of the Conduct Process

This overview gives a general idea of how the College's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of College policies.<sup>1</sup>

NOTICE. Once notice is received from any source (victim, RA, 3<sup>rd</sup> party, online, etc.), the College may proceed with a preliminary investigation and/or may schedule an initial meeting/conference with the responding student to explain the conduct process to the responding student and gather information.

## Student Conduct Authority

### Authority

The Dean of Students is vested with the authority over student conduct. The Dean of Students appoints a Chief Conduct Review Officer to oversee and manage the student conduct process. The Dean of Students and Chief Conduct Review Officer may appoint administrative hearing and appeals officers as deemed necessary to efficiently and effectively supervise the student conduct process. The Chief Conduct Review Officer (or designee) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

The Dean of Students or designee has the authority in extreme cases, where the safety and security of the student body or campus community is in danger, to impose an interim sanction pending the outcome of a conduct hearing.

### Gatekeeping

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing.

### Conflict Resolution Options

The Chief Conduct Review Officer has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Chief Conduct Review Officer may also suggest that complaints that do not involve a violation of the *Student Code of Conduct* be referred for mediation or other appropriate conflict resolution.

### Preliminary Inquiry and/or Educational Meeting

The College conducts a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved. The preliminary inquiry may lead to:

- 1) A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the *Student Code of Conduct*, (e.g.: for reasons such as mistaken identity or allegations of behavior that falls outside the code);
- 2) A more comprehensive investigation, when it is clear more information must be gathered
- 3) A formal complaint of a violation and/or an educational conference with the responding student.

When an initial educational meeting/conference is held, the conduct review officer may decide:

- Not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;
- A decision on the allegation, also known as an “informal” or “administrative” resolution to an uncontested allegation (see immediately below);
- A decision to proceed with additional investigation and/or referral for a “formal” resolution (i.e. Community Conduct Review Board, Confidential Meeting with the Dean, Sexual Misconduct Hearing etc.).

## Hearing Options

Students who have been documented in an incident have the following options for the review of their case:

### 1. Administrative Review Process

The Dean of Students appoints members of their staff to serve as Administrative Review Officers.

All review processes start with the Administrative Review. The initial notification of an incident and review letter is generated from the Conduct Review Officer. Any student receiving notice of an initial hearing review shall be required to report to the appropriate Review Officer within 48 hours, or as requested.

In an Administrative Review the student will have the option to read the incident report or documentation prior to deciding which body to have review the case. If the student decides to proceed with an Administrative Review then they may acknowledge the validity of the charge, explain their views of the situation, and will be given an appropriate sanction by the Review Officer.

## **2. Community Conduct Review Board Process**

The intended goal for community members participating in the Conducts Review Process is to educate students about appropriate behavior, redirect inappropriate behavior, hold community members accountable for inappropriate behavior and set the tone for the campus about acceptable behavior and responsibility.

In the initial Administrative Review, if the student rejects the charge they may petition a review by the Community Conduct Review Board. Any student who petitions a review by the Community Conduct Review Board is required to submit a written petition to their Review Officer which includes why they believe the Community Conduct Review Board should hear their case.

1. This written account must be submitted to the Review Officer no more than 48 hours after meeting with the Review Officer.
2. The Chief Conduct Review Officer or designee and the Rules Application Committee Chair will review the student's request and decide if the Community Conduct Review Board should review the case or if it should be returned to the Review Officer.
3. If the written account is not submitted within the 48 hours, the request for a review by the Community Conduct Review Board will be automatically denied and the case will revert back to the initial Review Officer for resolution.
4. If the petition is accepted then the Review Officer will then inform the Coordinator who will inform the student of the date and time for the hearing. All other involved parties, including the members of the Community

Conduct Review Board and the person(s) who have made the charges, shall be informed of the time of the hearing and requested to attend

## **3. Confidential Review by the Dean of Students**

The student may request a confidential review by the Dean of Students, on grounds of extreme sensitivity of the charge or related issues by submitting a petition to the Review Officer for consideration by the Rules Application Committee.

1. A written account must be submitted to the Review Officer no more than 48 hours after the initial meeting with the Review Officer.
2. The Rules Application Committee will review the student's request and decide if the Dean of Students should review the case or if it should be returned to the Review Officer.
3. If the written account is not submitted within the 48 hours, the request for a review by the Dean of Students will be automatically denied and the case will revert back to the initial Review Officer for resolution.
4. If the petition is accepted then the Review Officer will then inform the Coordinator who will inform the Dean of Students and the student of the date and time for the hearing.

### **Judicial Petition Forms:**

#### **Petitioning a Review of the Incident by the Community Conduct Review Board**

#### **Petitioning a Confidential Review of the Incident by the Dean of Students**

## Rules Application Committee

### Composition of the Review Board

The Chief Conduct Review Officer will be responsible for assembling the Hearing Board according to the following guidelines:

The Rules Application Committee, a standing committee of the Faculty, oversees the Community Standards Review process with specific responsibility for formulating and implementing procedures and suggesting sanctions for students found responsible for violating College policies. The Committee also coordinates the work of the Community Standards Review Boards in order to ensure consistency in Community Standards Review Board procedures and sanctions.

### The Rules Application Committee consists of the following members:

1. Two selected faculty (one elected faculty is appointed Chairperson by the Steering Committee serves a three-year term, the other is the person who is nominated by the Steering Board in collaboration with The Dean of Student Life.
2. Two students selected by the Student Senate.
3. Staff Person - one administrative staff person selected by the President.
4. Chief Conduct Review Officer from the Office of Student Life.

The Chairperson of the Committee serves a three-year term as chair and is a member of both Community Standards Review Boards. The other faculty member serves a one-year term as a member of the Rules Application Committee and as a member of a Community Standards Review Board in addition to their regular committee service.

### Functions of the Committee shall include:

1. Drafting a schedule of sanctions, or ranges of sanctions for common policy violations. These shall provide a basis for the setting of sanctions by both the Conduct Review Officer(s) and Community Standards Review Boards.

2. Reviewing and deciding on requests for confidential hearings by the Dean of Students.

3. Formulating proposals for long term reform for the student conduct system.

4. Developing means to insure that the standards that set the parameters of our community, and potential sanctions for violations of the standards, are placed in the hands of every student in a timely and appropriate manner.

**To be eligible for election to the Community Standards Review Boards, students must fulfill the following criteria:**

1. Minimum GPA of 2.00 at the conclusion of the Fall Term prior to the Student Community Standards Review Board election.
2. Not currently on academic or student living unit probation.

**To be eligible to continue to serve on the Community Standards Review Boards, students must fulfill the following criteria:**

1. Minimum GPA of 2.00 at the conclusion of the Fall Term prior to the Student Community Standards Review Board election.
2. Has not been placed on academic or living unit probation.
3. Fulfill all duties and responsibilities of the Community Standards Review Board.

If a student, Community Standards Review Board member, does not fulfill their responsibilities, the Student Community Standards Review Board Chair may recommend to the Student Senate that the student be removed from the Community Standards Review Board.

### **Prior to Community Conduct Review Board Proceedings**

Students and witnesses coming before a Review Board should do the following prior to the Review.

1. **Line Up Witnesses** - witnesses need to be people who have first-hand knowledge of the documented incident. The student presents a list of witnesses to the Review Officer with a rationale as to why they need to come before the Review Board. Character witnesses are not permitted unless specifically requested in the initial petition and approved prior to the Review by the Chairs.
2. **Witness Statements** - The Review Board will read the case file prior to the hearing. Having witness statements in the case file prior to the review will enable them to be better prepared and ask more pertinent questions.
3. **Advisor** - The student may bring with them an advisor. The advisor can be any member of the College Community. The advisor is a silent participant and cannot address the Review Board. The advisor can communicate with the student, but only in writing and only as long as the behavior does not become distracting to the proceedings.

### **Establishment of the Community Conduct Review Board**

Two Community Conduct Review Boards will be established from the following pool.

1. *Six Student Members.* Selection of Members: Selected in Student Senate.
2. *Four faculty members.* Selection: list is generated by the faculty and is voted upon by the students. Top seven selected. One faculty person is appointed by the President and serves as Chair of the Rules Application Committee.
3. *Two members of the administrative staff,* not from the Office of Student Life, appointed by the President.

The actual Review Board(s) will be comprised of two student members, two faculty members and one staff person. All selected members will be trained and may participate in hearings. However, Boards will be made up based upon availability of members and potential conflicts of interest due to involvement with the accused. A quorum is three members of the Board with each constituency represented.

Each Community Conduct Review Board will be chaired by a student elected from its membership and will convene on a rotating basis to hear any cases that may be presented to it. If a case cannot be resolved during one session, the same Community Conduct Review Board shall convene extra sessions until that case is completed.

Community Conduct Review Board will meet at least once per semester to review policy, sanctions and other training topics in order to stay ready for cases.

In instances where there is not enough time to convene a Community Conduct Review Board (e.g. final exam week), a request for a review by one of the Boards will be handled by the Dean of Students and/or their designee(s).

This system was established to review student policy/principle violations.

## **[Hanover College Policy & Procedures on Sex/Gender Harassment, Discrimination and Misconduct](#)**

### **Introduction**

It is the policy of Hanover College to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual violence) based on sex in the College's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination.

Members of the Hanover College community, guests and visitors have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner

that does not infringe upon the rights of others. The College believes in zero tolerance for sex/gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied; including, serious sanctions when a responding party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and college procedures establish a mechanism for determining when those expectations have been violated. The College's sex/gender harassment, discrimination and misconduct policies are not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters protected by academic freedom [Academic freedom extends to topics that are pedagogically appropriate and germane to the subject matter of courses or that touch on academic exploration of matters of public concern].

Hanover College uses the preponderance of the evidence (also known as "more likely than not") as a standard for proof of whether a violation occurred. In campus resolution proceedings, legal terms like "guilt," "innocence" and "burdens of proof" are not applicable, but the College never assumes a responding party is in violation of college policy. Campus resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

## **TITLE IX COORDINATOR**

Hanover College has designated a Title IX Coordinator & Title IX Deputy Coordinator to oversee compliance with all aspects of the sex/gender harassment, discrimination and misconduct policy. The Coordinator reports to the Dean of Students and is housed in the Student Life Office. Questions about this policy should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to discrimination or harassment may do so by reporting the concern to the college Title IX Coordinator:

**Title IX Coordinator**  
Casey Heckler  
Brown Campus Center 214  
812-866-6740

[heckler@hanover.edu](mailto:heckler@hanover.edu)

## **Student on Student Complaints**

### **Deputy Title IX Coordinator**

Heather Buhr  
Long Administration Building 102  
812-866-7097

[buhr@hanover.edu](mailto:buhr@hanover.edu)

## **Complaints regarding Employees**

### **Office for Civil Rights (OCR)**

A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting: the [U.S. Department of Education's website](https://www.ed.gov) or calling 1-800-421-3481.

## **Title IX Sexual Misconduct**

### **Covered Incidents**

The Sexual Misconduct Board shall hear only matters in which a student, guest or non-employee of the College alleges to have been victimized by a violation of the College's sexual misconduct policy at the hands of another student of the College. Sexual misconduct or harassment matters in which students are not involved shall be handled by other policies of the College. (See below for links "Staff" and "Faculty").

### **Staff**

### **Faculty**

### ***What is Sexual Misconduct?***

As regards students, sexual misconduct is an umbrella term that covers several inappropriate sexual activities. Sexual misconduct applies to all students, employees, vendors and guests of the college regardless of sexual orientation or gender identity. These activities include but are not limited to:

- **Sexual exploitation** - the unauthorized posting of visual representations of an individual; the refusal to refrain from such postings when requested; and actions that could be construed as voyeurism.

- **Sexual harassment** – includes, but is not limited to, verbal or written conduct of a sexual nature, stalking, and other forms of non-physical, unwelcome attention.
  - **Hostile environment caused by sexual harassment** - any situation in which there is harassing conduct based on sex or gender that is severe and pervasive or persistent and objectively offensive such that it alters the conditions of education or employment from both a subjective and an objective viewpoint.
  - **Quid Pro Quo** - unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where submission to or rejection of such conduct results in adverse educational or employment action.
- **Sexual assault** - can be either non-consensual sexual contact or non-consensual intercourse. Non-consensual sexual contact is defined as intentional sexual contact without consent to any body part.
  - **Non-consensual sexual intercourse** is defined as intercourse without consent (whether by an acquaintance or a stranger); attempted rape; sodomy (oral sex or anal intercourse) without consent; or sexual penetration with an object without consent.
  - **Non-consensual sexual contact**- Sexual contact without effective consent, the deliberate touching of a person’s intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using Force to cause a person to touch their own or another person’s intimate parts.
- **Relationship violence** - can be defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This includes any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure or wound someone.

- **Stalking** - a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened.

### Consent

Effective consent is informed, freely and actively given, mutually understandable words or action, which indicate a willingness to engage in mutually agreed upon sexual activity.

- Consent is a voluntary agreement to engage in sexual activity
- Past consent does not imply future consent
- Silence or an absence of resistance does not imply consent;
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
- Consent can be withdrawn at any time; and
- Coercion, force, or threat of either invalidates consent.
- Someone who is incapacitated cannot consent
  - Incapacitation, such as due to the use of drugs or alcohol (voluntary or involuntary), when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent.
  - One may not engage in sexual activity with another whom one knows or should reasonably know to be physically incapacitated.

### Other Misconduct Offenses (will fall under Title IX when sex or gender-based)

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person.
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender.
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another.

- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the college community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy).
- Bullying, defined as:
  - Repeated and/or severe
  - Aggressive behavior
  - Likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally
  - That is not speech or conduct otherwise protected by the 1<sup>st</sup> Amendment.
- Any other college policies may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party's sex or gender.

#### **Related Misconduct, Intimidation & Retaliation of a Witness**

Any reported violations of the Standards of Conduct directly related to a report of alleged sexual misconduct may be considered by the Sexual Misconduct Board in accordance with these procedures. This may include, but is not limited to, conduct that threatens the Reporting Party or any other participant, violations of the rules of confidentiality, intimidating a witness from participating, or Standards of Conduct violations arising in the course of the sexual misconduct.

Hanover College strictly prohibits retaliation against any individual for reporting, providing information, exercising ones rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations of sex discrimination, sexual harassment, and sexual violence. Therefore, any retaliation, intimidation, threats, coercion, or discrimination against any such individual, undertaken or attempted either directly or by someone acting on behalf of another, will be addressed in the most serious way by Hanover College, and individuals who engage in such actions are subject to discipline up to and including suspension, expulsion, or dismissal from the College, consistent with College procedure. Anyone who is aware of possible retaliation or has other concerns regarding the response to a complaint of sexual misconduct should report such concerns to the Title IX Coordinator or to any Student Life staff member, who shall take appropriate actions to address such conduct in a prompt and equitable manner.

## **Overview of College Procedures**

Sexual misconduct is a crime punishable by both civil and criminal legal action. Students are strongly encouraged to report misconduct to law enforcement authorities. Sexual misconduct is also a serious violation of the *Student Code of Conduct*, which can be found in the College Catalog. All members of the Hanover College community are expected to become familiar with the College's policies and regulations.

The College offers a variety of support services to the Reporting Party in an incident of sexual misconduct.

(1) If the Reporting Party chooses to file charges with law enforcement authorities, the Office of Campus Safety will assist in helping the Reporting Party to navigate the process. If the allegation does not result in criminal prosecution, the College offers support in understanding the results of the criminal investigation and any decisions that have been made by the prosecuting attorney. Throughout this process the support of Health Services and Counseling Services will be available to the student. The college reserves the right to pursue campus conduct action through campus procedures even if the case is heard in the local court system.

(2) If the Reporting Party chooses not to file charges with law enforcement authorities, the College's Title IX Coordinator will assist the student in requesting and preparing for a hearing by the Sexual Misconduct Hearing Board. Throughout this process the support of Counseling and Health Services, as well as, any additional support staff members will be available to the student.

(3) If the Reporting Party chooses not to proceed with a hearing by the Sexual Misconduct Hearing Board, Hanover College reserves the right to proceed with a hearing on behalf of the College. Throughout this process the support of Health Services and Counseling Services will be available to the student.

In cases where the Reporting Party and the respondent are both students procedural options will be coordinated through the Title IX Coordinator. In cases involving an employee and a student the

procedural options will be coordinated through the Director of Human Resources. Nothing in these procedures is intended to preclude the Dean of Students or other College Officials from taking appropriate action to ensure the safety of the Reporting Party. Actions that could be taken include, but are not limited to, restricting contacts between the parties, making alternative classroom or living arrangements, or the imposition of an interim suspension. The College may take appropriate protective and administrative action even in situations where the Reporting Party is absent.

Use of these procedures does not preclude the use of other dispute resolution options, including civil and/or criminal proceedings.

## **Jurisdiction**

### **Covered Incidents**

The Sexual Misconduct Board shall hear only matters in which a student, guest or non-employee of the College alleges to have been victimized by a violation of the College's sexual misconduct policy at the hands of another student of the College. Sexual misconduct or harassment matters in which students are not involved shall be handled by other policies of the College.

### **Availability of Procedures**

A complaint may be lodged by the Reporting Party by reaching out to the Title IX Coordinator or Deputy Coordinator or through the Campus Safety Department. If the Reporting Party chooses not to proceed with a hearing by the Sexual Misconduct Hearing Board, Hanover College reserves the right to proceed with a hearing on behalf of the College.

A complaint of sexual misconduct by a college employee or vendor may be reported to any member of the Student Life Staff or the Human Resources Office. These complaints will then be referred to the Deputy Title IX Coordinator, Director of Human Resources.

### **Exceptions**

If a complaint is filed within sixty calendar days of an accused student's intended graduation, during a College recess, or in other circumstances where the Title IX Coordinator determines that the complaint cannot

otherwise be resolved in a timely manner pursuant to these procedures, procedural options may be limited. In particular, any conduct process may be limited to an administrative hearing by a faculty or staff member appointed by the Title IX Coordinator. If an administrative hearing takes place, the hearing procedures set forth below for the Sexual Misconduct Board will apply to the extent practicable.

### **Related Misconduct, Intimidation & Retaliation of a Witness**

Any reported violations of the Standards of Conduct directly related to a report of alleged sexual misconduct may be considered by the Sexual Misconduct Board in accordance with these procedures. This may include, but is not limited to, conduct that threatens the Reporting Party or any other participant, violations of the rules of confidentiality, intimidating a witness from participating, or Standards of Conduct violations arising in the course of the sexual misconduct.

Hanover College strictly prohibits retaliation against any individual for reporting, providing information, exercising ones rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations of sex discrimination, sexual harassment, and sexual violence. Therefore, any retaliation, intimidation, threats, coercion, or discrimination against any such individual, undertaken or attempted either directly or by someone acting on behalf of another, will be addressed in the most serious way by Hanover College. The individuals who engage in such actions are subject to discipline up to and including suspension, expulsion, or dismissal from Hanover College, consistent with College procedure. Anyone who is aware of possible retaliation or has other concerns regarding the response to a complaint of sexual misconduct should report such concerns to the Title IX Coordinator or to any Student Life staff member, who shall take appropriate actions to address such conduct in a prompt and equitable manner.

### **Sexual Misconduct Hearings and Conduct Review Hearings**

In rare cases, complaints are filed with the designated agency alleging both physical assault and sexual misconduct arising out of the same incident (or violation of other *Student Code of Conduct*). In such cases, the Community Conduct Review Board shall work with the Chair of the Sexual Misconduct Board and the Title IX Coordinator, to explore whether a single hearing on all claims arising out of the incident should

be initiated. If it is determined that it is fair and efficient to hold a combined hearing, the process utilized by the Sexual Misconduct Board shall govern the conduct of such a proceeding.

### **Amnesty**

The institution will grant amnesty to Reporting Party and witnesses in regards to policy violations of alcohol and drugs. This will allow for the open exchange of information without fear or threat of additional charges for the Reporting Party and/or witnesses.

## **HEARING PROCEDURES**

### **Adjudication by the Sexual Misconduct Board**

A hearing by the Sexual Misconduct Board is a formal adjudication of a sexual misconduct complaint by a board of College faculty and staff. The Board encourages an open exchange of information within the framework of the confidential procedure. While procedures are designed to ensure fairness for the parties involved, the Board is not bound by the technical provisions of criminal or civil procedure. Use of this procedure by the reporting student does not preclude the student's filing a civil or criminal complaint in the local courts.

### **Composition of the Board**

The Sexual Misconduct Board shall be composed of an odd number of non-student employees of the College numbering no fewer than 3. The Board may be composed of any proportion of tenured or non-tenured faculty and staff as deemed appropriate by the Title IX Coordinator.

### **Advisors to the Parties**

Both the Reporting Party and the respondent may have an advisor present during all College conduct processes related to the sexual misconduct complaint. The Reporting Party/respondent may select an advisor of their choice to assist them. The advisor may be any individual selected by the Reporting Party/respondent including another student. College officials, who have had prior involvement in the case, may decline the Reporting Party/respondent's request to serve as their advisor. The advisors personally support the parties during the investigation, pre-hearing, hearing and appeal stages of the process. They will be present during the hearing, and may be consulted by the parties. Advisors may not direct questions to the board or witnesses at the hearing, but may present requested questions in writing to

the board and may consult with the student they are assisting. The Chair shall not allow their presence to inhibit the parties' opening statement or the conduct of the hearing.

### **Confidentiality of the Proceedings**

The confidentiality of the hearings process is of great importance to all involved. The identity of the reporting or accused individual and any formal discipline resulting from the hearing, may not be publicly disclosed by any participant in the hearing process, either directly or indirectly, except where disclosure may be authorized by law or disclosed in connection with duties on behalf of the College. Witnesses will be reminded during the hearing that their participation and statements should remain confidential following the hearing. Records of the proceedings will be confidentially respected by the participants and not disclosed except where disclosure may be authorized by law or on behalf of the College in connection with College policy. Violations of the rules of confidentiality are subject to administrative sanctions.

## **Procedures**

### **1. Interview/Investigation**

The Title IX Coordinator, upon receipt of the complaint of sexual misconduct, will initiate a preliminary investigation. The Title IX Coordinator shall interview the Reporting Party and the respondent, and may interview others deemed to have pertinent information. If the Title IX Coordinator determines based on the evidence presented at that time that there is a substantial basis for a hearing, notice of charges will be prepared and delivered to the parties. The Sexual Misconduct Hearing Board will be convened. The Title IX Coordinator's determination of a substantial basis for a hearing shall be based on whether sufficient facts have been presented or discovered to allow the Sexual Misconduct Board as the finder of fact to find that it is more likely than not that the accused committed the offense. The Title IX Coordinator's decision is final. The Title IX Coordinator may take any protective action they deem appropriate concerning the interaction of the parties pending the hearing. If the Title IX Coordinator there is not a substantial basis for a hearing, the Title IX Coordinator shall prepare a written report summarizing the exculpatory and inculpatory evidence discovered during the investigation.

**2. Notice of Charges**

The Title IX Coordinator will begin the adjudication process by providing written notice to the accused student stating: (a) the nature of the complaint; (b) the Standards of Conduct allegedly violated; the name of the reporting person; (c) the date, time, and place of the pre-hearing meeting; (d) the names of at least three Sexual Misconduct Board members selected by the Coordinator to serve as the hearing board. The Board will include at least three faculty/staff members; the Title IX Coordinator will preside over the hearing but will not be a member of the Board. If the Title IX Coordinator is unavailable, the Dean of Students shall defer to the Title IX Deputy or designee to select the board members, and designate an individual to preside over the hearing.

**3. Delivery of Notice**

Due to the complex nature of the issues surrounding sexual misconduct, the Title IX Coordinator will make every effort to personally meet with the respondent (formerly known as the accused) to notify them of the alleged violation and answer any questions regarding the procedures of the hearing. At this time the respondent will be given a copy of the Rights of Respondents, the hearing procedures and the opportunity to read the statement of the Reporting Party.

The notice shall be considered effective when delivered at the accused student's local residence for the current academic term, as listed with the College Registrar, or otherwise when actually received by the accused. The hearing must take place not more than thirty calendar days (30) after delivery of the notice, unless the Chair allows a longer period. Should either party fail to appear at the scheduled hearing, the Chair may continue the proceedings or the Board may proceed and determine the complaint on the basis of evidence presented, provided the responding student was duly advised of the scheduled hearing date.

**4. Pre-Hearing Meetings**

In addition to any preliminary meetings that may be held with the parties, the Title IX Coordinator will schedule prehearing meetings separately with the Reporting Party, respondent and the hearing

body. At this time, the Title IX Coordinator will present the statements to all parties, review procedures and answer any questions. The parties will also have an opportunity to submit additional documents or evidence to be introduced at the hearing. For confidentiality, no party may receive hard copies of statements, but may take as long as needed to review the documents. The Title IX Coordinator will review procedures with the hearing board, determine a Chair for the hearing and review the submitted documents. The hearing body will determine questions for the hearing at this time.

**5. Pre-Hearing Discussion**

Once a Board member has been named to a hearing board by the Chair, they may not discuss the merits of the case with the parties or with anyone acting on the parties' behalf. The Chair will provide the board members with the statements of the parties, and a copy of the written notice of charges.

**6. Power to Enjoin (deny)**

The Chair may prohibit the parties from engaging in disruptive conduct pending the hearing. The affected party must be given reasonable notice and the opportunity to be heard by the Chair prior to a directive. Violation of such a directive shall constitute a related offense to be heard by the Sexual Misconduct Board.

**7. Negotiated Resolution**

The Chair may negotiate a resolution of a complaint of sexual misconduct with the consent of the Reporting Party in cases in which the respondent wishes to acknowledge guilt and agree to a sanction. This option is not available in cases involving assault of any type.

**8. Board Advisor**

The Chair and Board shall be entitled to advice throughout the hearing process from the Title IX Coordinator on questions of policy application and procedure; however, factual determinations are the sole domain of the Board.

## 9. Conflicts of Interest

A board member who feels their presence on the Board would be inappropriate because of prior or present connections with a party or any other person involved in the hearing must inform the Chair and withdraw from the adjudication process. A party may challenge a board member for cause. Cause shall be evaluated in light of personal bias or conflict, and not merely because a given board member may have received training in sexual misconduct issues. The Chair will rule on the challenge, and if it is sustained, the Chair will replace the challenged member with another member of the Board or authorize the proceeding to continue with remaining members if replacements are not immediately available. Such challenges must be made no later than the date of the pre-hearing meeting, without exception.

## Hearing Procedure

The hearing will not follow a courtroom model. The parties' advisors may be present, and may be consulted by the parties throughout the hearing. The Chair will determine the order of witnesses, and determine hearing procedures. Only the Chair and the Board will question the individual parties. However, either party may ask the Chair or the Board to pose additional questions by submitting such a question or questions in writing. The parties may present their witnesses and following the questioning of a witness by the Board, present additional questions to a witness. The Chair is empowered to disallow any questions that are irrelevant, improper, or redundant, in the Chair's sole discretion. After all witnesses have been questioned, each party may make a written or oral closing statement and may request a short recess to prepare it. If the Board determines that significant unresolved issues exist that would be clarified by the presentation of additional evidence, the Chair may recess the hearing and reconvene it in a timely fashion. A recess may not be based on the failure of witnesses to appear without good cause, or on the proposed introduction of documents or other evidence that should have been presented at the pre-hearing conference.

### 1. Impact Statement

If the respondent is found responsible, the Reporting Party may present the board with a statement recommending a sanction. The respondent may respond to the statement. Both the impact statement and any response shall be provided to the opposing party

if presented in writing to the Board. The board shall not be bound by the above statements in determining a sanction.

### 2. Statement by the Respondent

The respondent shall also have the right not to provide a statement, but the board will adjudicate the case based on the evidence presented.

### 3. Recording

4. The Chair will arrange for the hearing to be recorded, and may arrange for the preparation of any transcript or review of the recording which they deem appropriate or which a party requests. Such recording or review will be arranged through the Title IX Coordinator.

### 5. Decisions and Burden of Proof

All decisions by the Board will be made by majority vote. The Board shall first determine whether the accused violated the College's sexual misconduct policy, then, if appropriate, the sanction. A finding of responsibility must be supported by a preponderance of the evidence. A preponderance of the evidence means that the facts establish that it was more likely than not that a violation occurred or did not occur.

### 6. Sanctions

The Board may recommend any sanction it finds to be fair and proportionate to the violation and which is authorized for violations of the *Student Code of Conduct*, including disciplinary probation, suspension, and separation from the College. In determining an appropriate sanction, the Board may consider any record of past violations of the *Student Code of Conduct*, as well as the nature and severity of the misconduct.

### 7. Decision

Within five (5) business days from the conclusion of the hearing (or such longer time as the Chair may for good cause determine), the Chair shall provide the parties and the Title IX Coordinator with copies of the Board's written decision, which shall summarize the relevant exculpatory and inculpatory evidence presented at the hearing. Board members may submit separate written statements if

desired, and these shall also be provided to the parties and the Title IX Coordinator.

**8. Effective Date of Sanction**

Sanctions imposed by the Board shall not be effective until a timely appeal of the decision is exhausted. However, if advisable to protect the welfare of the College community, the Board may include in its decision a determination that any probation, suspension or separation from the College is effective immediately and shall continue in immediate effect until such time as the Dean of Students may determine otherwise, in which case the Dean shall be informed of the Board's determination. The Dean may suspend the determination pending exhaustion of appeal, or the individual may be allowed to continue restricted activities on a supervised or monitored basis. The Dean's decision may not be appealed.

**9. Appeals**

Either party may appeal the Board's decision to the Dean of Students by notifying the Dean in writing, within seven (7) calendar days of the date of the decision. Appeals may only be premised on allegations of bias, conflict of interest, procedural violations that affects a substantial right or new information that was not available at the time of the hearing. The Dean of Students, who may either affirm the sanction or modify the sanction based on information unavailable to the Hearing Board. Any modification of the sanction shall be done in consultation with the Hearing Board. The decision of the Dean of Students shall be rendered within five (5) business days of receiving the appeal. Both parties will be notified of the outcome of the appeal. The college President will be notified of all final outcomes.

**10. Timeline of Process**

From the filing of the initial formal complaint the investigation, hearing and outcome should take no more than sixty (60) calendar days. This does not include the appeal process. The timeline may be adjusted due to institutional breaks (holiday, summer) or additional information coming forward to the Title IX coordinator. If the process extends the sixty (60) calendar day timeframe, the Reporting Party and respondent will be notified in writing by the Title IX Coordinator.

**ADDITIONAL TERMS**

Failure by the College to strictly observe the time limits or other procedural requirements expressed in this policy shall not constitute an abridgment of the rights of parties so long as procedure is fundamentally fair. The College's Title IX Coordinator reserves the right to suspend implementation of these procedures in the event of pending or imminent criminal charges or litigation involving the same complaint filed hereunder; provided, however, that nothing in this policy precludes proceeding with available procedures notwithstanding the pendency of criminal proceedings or civil litigation. Such action may not be appealed.

**AMENDMENTS**

This procedure may be amended at any time, or from the time to time, in writing by the Dean of Students in consultation with the Student Life Directors and the Director of Human Resources and with the approval of the President's Cabinet.

*Updated July 2018*

**Harassment**

Hanover College is a principle-based community that seeks to promote the academic, personal, and moral growth of its members within a safe, challenging and responsive environment. As such, the College seeks to maintain an environment in which individuals can live, learn and work free from discrimination and harassment of any kind. Such behavior is an affront to the whole community and a betrayal of the ideals of community which the College seeks to foster. The Hanover College Principles leave no room for behavior that denies a person or persons the full and free exercise of their rights and privileges as members of the College community or creates an intimidating or hostile environment. Specifically, Principles 2, 5, 6 and 9 have this to say:

- I will participate in the open and free exchange of ideas necessary for a meaningful education and a successful democracy.

▪ I will work to create a safe campus community, free from unjust coercion, harassment, and other threats to persons or property.

▪ I will practice honesty toward, tolerance of, and compassion for others, working to support the well-being of other members of the College community.

▪ I will know and adhere to the rules of the College and to state and federal laws, accepting accountability for my own actions and encouraging others to be accountable for theirs.

Discrimination and harassment of any kind conflict with the educational and communal interests of Hanover College. Sexual harassment is a particular form of harassment that falls under a different College policy (for Sexual Harassment Policy please see the policy stated above). This policy deals with student-on-student harassment. If a student feels they have been harassed by an employee or vendor of the college, they should refer to the policy in the Faculty/ Staff Handbook.

Harassment is defined as follows:

*Acts which have the effect of harming, intimidating, or humiliating a member of the community, through the use of physical force, the threat of force, or verbal, visual, or physical abuse, on the basis of race, color, religion, gender, gender identity, marital status, sexual orientation, national origin, age, disability or any other characteristic protected by law. These acts can also be based on no one specific characteristic or combination of characteristics protected by law, but can also be acts which have the effects listed*

*above and violate the basic respect that we owe to one another as members of the Hanover College community.*

Because the College affirms the right to freedom of expression, speech and thought, any idea can be expressed, unless it is deemed by a hearing body representing the College community to amount to harassment of an individual or group of individuals. There are multiple resources available for any student who feel they have been harassed or has witnessed harassment:

- The Community Alliance and Resource Team, CART, ([cart@hanover.edu](mailto:cart@hanover.edu)). The student may, if they wish, go for support and advice to the Community Alliance and Resource Team, whether the student intends to file a grievance or not; any conversations with CART are confidential.
- Any Faculty Member
- Any Student Life Staff member (x7078)
- Counseling Services (x7399)
- Campus Safety (x7999)
- Director of Multicultural Affairs (x7025)
- Office of the Chaplain (x7087)
- Health Services (x7082)
- Human Resources (x7097)

Seeking advice or counsel through the resources listed above does not necessitate formal hearings in the case. The case may be handled informally. Possible informal responses include, but are not limited to, mediation through Counseling Services and/or an education program sponsored by the Student Life and CART. The student may consult with CART to explore all informal options.

The student may also choose to address the issue formally. To have the case handled through the campus hearing process, the student must file a formal grievance with the Chief Conduct Review Officer (x6740). In order to file a formal grievance, a student must contact the Chief Conduct Review Officer in order to make an appointment to meet with the Chief Conduct Review Officer and the chair of the Rules Application Committee to discuss the student's options. After this meeting a student may or may not choose

to file a formal grievance. For formal proceedings to occur, the student must file a written grievance within one (1) calendar year of the incident.

The College is committed both to protecting and supporting the victims of harassment and to preserving the rights of the accused, who are afforded the protections incorporated in the hearing process described below. The Community Conduct Review Board cannot take into account previous offenses committed if no grievance was brought and no sanction was imposed by the Board.

Any student who is found by the Community Conduct Review Board to have harassed another student is in clear violation of the College's Principles and will be subject to disciplinary sanctions, up to and including expulsion from the College. In addition, those who engage in harassing behavior may be subject to criminal prosecution under appropriate federal, state, or municipal law. Action taken by the College through disciplinary proceedings and sanctions does not preclude the pursuit of criminal or civil action.

## **Procedures and Sanctions for Formal Grievances**

### **Formal Written Grievance**

Any student who feels they have been harassed by another student has the right to file a formal written grievance. Once a formal grievance is filed, the Community Conduct Review Board will hear the case. The student has the right to select an advisor, who may accompany them to any meetings relevant to the case. The advisor may not speak at a hearing and must be a member of the College Community (e.g., student, staff or faculty).

Any third party who believes they have witnessed a situation of harassment may start an investigation process through the Chief Conduct Review Officer. Once the investigation is complete, the Rules Application Committee will review the evidence gathered in order to determine whether or not the issue will be pursued. The College reserves the right to take further action based on the findings of the investigation.

### **Notification of Charges**

The Chief Conduct Review Officer will then meet with the respondent and explain the grievance that has been filed. The respondent will be asked to

respond to the formal grievance in written form. Both parties will be advised to have no contact during this time. Continued contact may result in further charges being incurred. The respondent has the right to select an advisor, who may accompany them to this meeting and subsequent hearings. The advisor may not speak at a hearing and must be a member of the College community (e.g., student, staff or faculty). The Chief Conduct Review Officer will forward the petitioner's grievance and respondent's response to the Chair of the Rules Application Committee (RAC), and a hearing through the Community Conduct Review Board will be scheduled.

### **Community Conduct Review Board Hearing**

A Community Conduct Review Board hearing will be convened to determine responsibility and sanctions. Both the petitioner and the respondent will be asked to meet with the Board at that time. Each party will meet with the Board separately. Cases that involve multiple petitioners may be treated separately.

If the respondent chooses not to contest the terms of the grievance, then they are given a chance to explain their behavior to the Board and accept any sanctions determined by the Board. If the respondent chooses to dispute the charges, the Community Conduct Review Board will conduct a full hearing. This process will be handled in a timely manner. It should ordinarily take no longer than thirty (30) business days.

### **Sanctioning Guidelines**

The college is committed, first, to the intellectual and social growth of all its members. To the extent that it is possible, persuasion and education are preferable to punishment. If the Board determines that a sanction is called for it will determine a sanction based on the severity of the case. Multiple offenses will result in increased sanctions. The sanctions may include educational training about diversity, probation, fines, parental notification (as permitted by FERPA), suspension and expulsion.

In all cases the petitioner will be notified as soon as practicable of the outcome of the hearing (i.e., the findings of the Board and what, if any, sanctions resulted). In the interest of privacy, third parties and witnesses will not be informed of the outcome of the hearing.

### **Appeals to the Dean of Students**

Either party may appeal the Board's decision to the Dean of Students by notifying the Dean in writing, within seven (7) calendar days of the date of the decision. Appeals may only be premised on allegations of bias, conflict of interest, procedural violations that affects a substantial right or new information that was not available at the time of the hearing. The Dean of Students, who may either affirm the sanction or modify the sanction based on information unavailable to the Hearing Board. Any modification of the sanction shall be done in consultation with the Hearing Board. The decision of the Dean of Students shall be rendered within five business days of receiving the appeal. Both parties will be notified of the outcome of the appeal. The college President will be notified of all final outcomes.

*Revised Fall 2017*

## Policies and Regulations

### Hanover College Principle Based Policies

Hanover College strives to be a community of individuals who realize that a stimulating, safe, stress-free environment can only be achieved when all community members accept personal responsibility to work together cooperatively. To work toward the goal of increased responsibility and accountability students are expected to adhere to Hanover College's Principles. Each student is responsible for following Hanover College's Principles whether on or off College premises. While it is neither possible nor necessary to specify every instance of misconduct that could result in judicial action against a student, the following list includes examples of conduct that may subject a student to judicial action.

### Alcohol and Drug Policy

The goal of Hanover College's Alcohol Policy is to promote an environment in which community members are responsible in their alcohol use and the misuse of alcohol is not tolerated. Because Hanover College resides in the town of Hanover, Indiana, all people on the Hanover College campus are subject to the jurisdiction of the Hanover Police Department. Thus, any violation of federal, state or local laws is subject to police involvement including arrest, criminal prosecution, and municipal

adjudication. Hanover College complies with all state and local laws (<http://www.in.gov/legislative/ic/code/>) concerning the consumption of alcohol as well as adhering to the guidelines mandated by the Drug Free Schools and Communities Act Amendment (Public Law 101-226). In particular, the following are prohibited by law:

- Possession and consumption of alcoholic beverages at any time by individuals under the age of twenty-one (21), as well as the sale/distribution of such beverages to those individuals.
- Driving a motor vehicle while intoxicated.
- Possession/use of false identification.
- Illegal possession, use or distribution of drugs.

Committed to the safety and wellness of the campus community, Hanover College has further imposed restrictions on the possession and consumption of alcohol on campus. Specifically, the following are prohibited on the campus grounds:

- The use or possession of common source containers (such as kegs, mixed drinks, or punch served in large quantities)
- Possession or use of alcohol-related paraphernalia, including beer bongs and funnels, or engagement in activities and/or drinking games that contribute to high-risk drinking behavior.
- Active participation in or facilitation of dangerous drinking or drug use.
- Any conduct occurring when the student is under the influence of alcohol that violates the rights of others or leads to disorderly or dangerous behavior.
- Students may consume alcohol on campus ONLY in designated private living units, the Shoebox or at Sanctioned Wet Events.

It is the responsibility of the officers and members of any chartered campus group or residence unit officer to facilitate the compliance of the College alcohol policy within a living unit and/or Greek Chapter house. Failure to do so may result in administrative sanctions against the group or individuals within the group. The Chapter house or living unit, (suite, room, or theme house) may be held responsible for the activities taking place within it.

### **Student Housing Policy Regarding Alcohol**

- If twenty-one (21) years of age, students residing in campus housing may possess and consume alcohol inside private living units provided that they have successfully completed an educational session conducted by the Office of Student Life on responsible alcohol consumption. Private living units are defined as individual rooms, or individual suites. The use of alcohol by students of-age will be respected as a personal choice as long as it does not violate the Alcohol and Drug policy or any other college policies.
- Each of-age student is permitted to have a reasonable amount of beer and wine for personal use, though hard alcohol (i.e. liquor) are not permitted. However, the expectations for reasonable possession are secondary to the College's expectations for reasonable and healthy behavior. In no circumstances should a student's blood alcohol content (BAC) exceed the statutory level of impairment as defined by the State of Indiana.
- Open containers of alcohol are restricted to private living units (individual rooms or suites.)
- All first-year housing will be alcohol free.
- A student who is hosting a visitor who is not connected to the College is responsible for the behavior of her/his guest.

### **Safety Watch**

The Safety Watch program at Hanover College is designed to assist students who are intoxicated and whose condition is not severe enough to require the involvement of external emergency medical personnel, but is deemed too severe for those students to return to their residence hall. Such students are likely to exhibit some of the following characteristics:

- Slurred speech
- Fever, chills or vomiting due to alcohol
- Inability to stand or walk, or can do so only with difficulty
- Belligerent, unruly or highly agitated
- Is reported to have consumed a large quantity of alcohol
- Blood Alcohol Content (BAC) between .08 and .25

**In order to participate in Safety Watch students must have a signed waiver on file in the Office of Student Life.**

A student who exhibits the above characteristics or a friend of such a student should contact Hanover College Security. A Security Officer will then assess the student's condition and, if appropriate, escort the student to Safety Watch. Safety Watch is only available on Friday and Saturday evenings. At the Safety Watch site, the student will be monitored by trained Safety Watch staff. The Safety Watch personnel may call for external medical services if the student's condition deteriorates. If it is determined that the student may safely return to their residence hall, the student will be allowed to do so.

Should the student be unwilling to go to the Safety Watch or decide to leave the Safety Watch, Campus Security may call on any external agency (ambulance service, law enforcement agencies) which they deem appropriate to ensure the health and safety of the student and the campus.

### **Medical Amnesty**

Students should seek help when there is an alcohol or drug related medical emergency. For emergencies, call 911 to contact the local hospital. In order to protect the safety of students and to encourage the use of medical services (either Safety Watch or the local hospital), Hanover College has instituted an Amnesty policy for students using these services. Any voluntary participant in the Safety Watch/hospital services and any individual who takes another student to those services will receive complete "Good Samaritan" amnesty from disciplinary action.

If an organization is hosting an event and seeks medical attention for an individual at the event, the act of seeking medical help will serve as a mitigating factor if sanctions are brought against the organization.

### **Tailgating Policy**

To provide for the safety of students and guests, Hanover College limits the possession and consumption of alcoholic beverages on campus. The following guidelines are established for tailgating at athletic events. Tailgating is defined as parking and consuming food and beverages, including alcoholic beverages, outside the sports event area.

1. Tailgating must occur only in the designated tailgate area, marked by flags and signs.

2. Tailgating hours are 10:00 a.m.-7:30 p.m., all tailgating activities must be concluded by 7:30 p.m.
3. Alcoholic beverages are limited to single serving non-glass containers. No common sources are permitted. Examples of common sources are kegs, beer balls or other large quantity containers.
4. Serving alcohol to or consumption of alcohol by minors (those under 21 years of age) is a violation of state and federal law and college alcohol policy.
5. Individuals consuming alcohol may be asked to provide legal identification and proof of age to the security officer who will present them with a wristband. Those individuals must wear the wristband in order to consume alcohol in the tailgate area.
6. Alcoholic beverages are not allowed outside the designated tailgate area.
7. Alcoholic beverages cannot be taken into or from the Shoebox.
8. Portable restroom facilities for tailgaters are located at either end of the parking area. Residential living units restrooms are not to be used as public facilities.

**Logistics:**

First-year students will be asked to move their cars to another designated parking area on the weekends of the five home football games.

Athletic staff will mark off the tailgate area prior to the game and post Tailgating signs.

There will be a designated RV parking area within the tailgate area.

**Special Event Request Policy**

Those occasions when a visiting school or alumni group requests a catered event or tent where alcohol is served or provided, those requests will be reviewed by relevant parties and granted on a case by case basis. Groups

making such a request for a non-catered event will be granted designated space within the tailgate area.

**Registered Wet Events Policy**

Hanover College encourages organizations and living units to sponsor and participate in social programming. If alcohol is to be served during the event, the sponsoring organization is responsible for educating members and guests regarding the responsible use and consumption of alcohol in accordance with this policy.

1. Social functions where alcohol is served must not interfere with the rights of others in the residence halls, houses, or Hanover community.
2. Recognized student organizations or living units may schedule events at which alcohol is served. An "open" social function is one in which all students and other campus individuals may be in attendance. All events should be scheduled using the Event Scheduling Form.
3. Organizations may have closed social functions at which alcohol is served. A "closed" function will have attendees limited to a specific guest list. Such functions will have a sign-in sheet including the name and birth date of each guest. Closed functions will be registered using the Event Scheduling Form and scheduled as appropriate to avoid conflict.
4. The Office of Student Life will assist students in the organization of social functions. All questions concerning the administration of the Alcohol Policy should be directed to the Office of Student Life.
5. Special Event Request Policy Those occasions when a visiting school or alumni group requests a catered event or tent where alcohol is served or provided, those requests will be reviewed by relevant parties and granted on a case by case basis. Groups making such a request for a non-catered event will be granted designated space within the tailgate area.

**Third Party Vendor Guidelines**

1. Beer and wine must be provided by a third-party vendor. Non-alcoholic beverages and food must also be available at the function.
2. The third-party vendor must be approved by the Office of Student Life and provide or agree to the following:
  - a. The vendor must provide evidence of being properly licensed by the appropriate local and state authority.
  - b. The vendor must provide evidence of being properly insured with a minimum of \$15,000,000 of general liability insurance.
  - c. The selling of alcohol will be conducted only by the vendor.
  - d. The vendor will not serve minors or serve an individual who appears to be intoxicated.
  - e. The vendor will collect all remaining alcohol and remove it from the premises.

#### **Specific Guidelines for Functions Serving Alcohol**

1. Host Organizations or the Vendor hosting a registered wet event will comply with the following guidelines and any other guidelines listed below for specific locations.
  - a. Registered wet events should be scheduled through the Event Request Form and approved at least four (4) weeks prior to the event date, including the completion of the Wet Event Policy Agreement (found on MyHanover).
  - b. At least one member of the hosting organization will be the designated "point person" to act as a contact for vendors and/or college administrators or faculty during the event.
  - c. No events will violate the Alcohol Policy as outlined in the Student Handbook.
  - d. The promotion of wet events should complement advertisements and promotions so that alcohol is not the primary focus of any advertisement.
  - e. If a minor is found consuming alcohol at the function they may be removed by a member of the hosting organization, designated with such responsibility, or any member of the college administration or faculty. The student will also be

issued a Notice of Conduct Review and will face additional disciplinary action through the Office of Student Life.

2. Host Organizations or the Vendor hosting an event at the Shoebox will be responsible for carrying out the following guidelines in conjunction with the Shoebox as a permanently licensed vendor:
  - a. Host organizations will work in collaboration with the Shoebox staff to plan and register the event.
  - b. Host organizations may provide up to one (1) drink ticket per attendee, which can be paid for by the host organization. All additional services will be paid for by the attendee.
  - c. Host organizations are responsible for ensuring that no attendee receives or is served more than one (1) free or discounted beverage.
  - d. If free or discounted drink tickets for alcoholic beverages are provided, host organizations must also provide equally available, free, or discounted non-alcoholic beverages.
3. Host Organizations or the Vendor hosting a wet event outdoors or at any location on campus that is not the Shoebox will be responsible for carrying out all guidelines for functions as outlined below:
  - a. All attendees will have their IDs checked at the entrance to the function by a certified law enforcement agency. A state driver's license or two other picture IDs will be considered appropriate identification.
  - b. Wristbands will be issued at the function entrance to those of legal drinking age. All wristbands should be clearly marked with the date/name of the event.
  - c. There will be one centralized location for the distribution of all food and beverages. No alcohol may be distributed from any other area.
  - d. Alcoholic beverage service must have a pre-determined start and end time, ending 30 minutes prior to the close of the event.
  - e. Host organizations should collaborate with the Sodexo Catering Manager at least 21 days prior to the event date for licensing purposes.

- f. Alcohol cannot be served at a discounted price, nor is the host organization able to purchase alcohol or provide drink tickets.
- g. At least one faculty/staff advisor must be present for the duration of the event.
- h. If hosting an outdoor event, the organization will work with campus facilities to reserve and set up appropriate fencing boundaries for the event.

### **Responsibilities of Host Organizations**

Student organizations or groups recognized by the college are subject to the same regulations as individual students. Failure to act in accordance with the policy above or the Registered Wet Event Guidelines provided by the Office of Student Life shall be considered behavior also subject to disciplinary action.

### **Alleged Violations of the Law**

Alleged violations of federal, state and local laws may be investigated and addressed under the *Student Code of Conduct*.

The College reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint (additional grounds for interim suspension are outlined below, on p. 21-22). Interim suspensions are imposed until a hearing can be held, typically within two weeks. **[Within that time, the suspended student may request an immediate hearing from the Chief Conduct Review Officer to show cause why the interim suspension should be lifted]**. This hearing may resolve the allegation, or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed and the College may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the College will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. This delay will be no longer than two (2) weeks from notice of the incident unless a longer delay is requested in writing by the complaining victim to allow the criminal investigation to proceed before the College process.

Students accused of crimes may request to take a leave from the College until the criminal charges are resolved. In such situations, the College procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial;
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence;
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

### **Off Campus Behavior**

Violations of federal, state, and local laws while off campus may also result in judicial action in the Hanover College judicial system.

**Study abroad conduct/alcohol inserted here**

## **Conduct Policies**

### **Core Values and Behavioral Expectations**

The College considers the behavior described in the following sub-sections as inappropriate for the College community and in opposition to the core values set forth in this document. The College encourages community members to report to College officials all incidents that involve the following actions.

#### **Integrity**

**College students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:**

#### **Falsification**

Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments.

### **Academic Dishonesty**

Presenting another's work as your own or otherwise misrepresenting your own works is a form of theft and there are penalties. According to faculty action, when a student submits a paper, an examination, or any other assignment that is substantially the result of an academically dishonest procedure, the student shall receive a '0' (zero) for the paper, examination, or assignment, and their grade for the course shall be lowered not less than one letter grade. In this context, 'an academically dishonest procedure' is defined as 'any action with the intent to deceive in order to obtain an unfair advantage'. Should a student who has already been penalized for an academically dishonest procedure commit a second such offense in the same course, they shall receive a grade of 'F' for the course and be removed from it. The same or similar penalties may also be applied to students who knowingly assist others to engage in an academically dishonest procedure. Any given instance of academic dishonesty is dealt with by the instructor of the course in which it occurs. All instances of academic dishonesty are reported to the chair of the Student Academic Assistance Committee, and repeated instances of academic dishonesty will subject a student to additional penalties up to and including dismissal from the College, as outlined in the College Catalog.

### **Unauthorized Access**

Unauthorized access to any College building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any college building or failing to timely report a lost College identification card or key.

### **Unauthorized Entry**

Misuse of access privileges to College premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a College building.

### **Collusion**

Assisting another or others to violate the *Student Code of Conduct*.

### **Stolen Property**

Intentional and unauthorized taking of College property or the personal property of another, including goods, services and other valuables; knowingly taking or maintaining possession of stolen property.

### **Community**

**College students build and enhance their community. Behavior that violates this value includes, but is not limited to:**

#### **Disruptive Behavior**

Substantial disruption of College operations including obstruction of teaching, research, administration, other College activities, and/or other authorized non-College activities which occur on campus.

#### **Disorderly Conduct**

Public behavior that is lewd, indecent or obscene or that destroys or damages college property or the property of others; or that is likely to incite imminent violent action.

#### **Non-Cooperative Behavior**

Non-cooperative Behavior is when a student has a defiant or inappropriate response to a direct request by someone acting in an official capacity. Some behaviors might include, but should not be limited to: aggression toward faculty, staff, officers or students involved, refusal to problem solve, destruction/damage of property, providing false information or identification.

#### **Damage and Destruction**

Intentional, reckless and/or unauthorized damage to or destruction of College property or the personal property of another; or vandalism to college property.

#### **IT and Acceptable Use**

Violating the College Acceptable Use and Computing Policy, found online at: <http://it.hanover.edu/usage.php>.

#### **Social Media Policy**

Hanover College recognizes the increasing significance of the online world in the lives of our community members. All members of the Hanover community are expected to use all forms of social media lawfully and responsibly. The expectations that Hanover College has of its community members in their on-campus, face-to-face interactions are the same as its expectations of community members in cyberspace.

Hanover College will not monitor community members' language and/or actions on social media platforms. However, Hanover College may hold students responsible for violations of the *Student Code of Conduct* and Hanover Principles that are reported to the Office of Student Life. Reports of violations will be investigated by Student Life and will be referred to the hearing process.

In addition, Computing Services has expectations for individuals representing the college in social media forums and for use of campus computers and networks. These policies can be found here: <http://it.hanover.edu/usage.php>.

### **Weapons**

Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars, or knives with a blade of longer than 4 inches are prohibited on campus, including the storage of any item that falls within the category of a weapon in a vehicle parked on College property.

### **Drones**

The operation of an unmanned aircraft system (UAS), a drone, is regulated by the Federal Aviation Administration (FAA). Students are prohibited from flying drones on campus for safety and security reasons.

### **Tobacco/Smoking/Vaping**

Smoking is prohibited in all college-owned buildings, fleet vehicles and on all paved walkways. In addition, Hanover College bans smoking within 20 feet (6.1m) of the entrance and operable windows of all buildings.

**Fire Safety.** Violation of local, state, federal or campus fire policies including, but not limited to:

- a) Intentionally or recklessly causing a fire which damages College or personal property or which causes injury.
- b) Failure to evacuate a College-controlled building during a fire alarm;
- c) Improper use of College fire safety equipment; or

- d) Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College property. Such action may result in a local fine in addition to College sanctions;

### **Hover-boards**

The College prohibits the use of any and all hover-board devices on campus grounds due to the potential fire hazard that results from the device's lithium-ion batteries. While these devices elevate the risk of fire hazards on campus, they also raise College concern over the potential for injuries, including concussions, fractures, contusions, and internal organ injuries that may result from operating a hover-board.

### ***Social Justice***

**Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing college community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:**

### **Discrimination**

Any act or failure to act that is based upon an individual or group's actual or perceived status (sex, gender, gender identity, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the College's educational program or activities.

### **Harassment**

Hanover College is a principle-based community that seeks to promote the academic, personal, and moral growth of its members within a safe, challenging and responsive environment. As such, the College seeks to maintain an environment in which individuals can live, learn and work free from discrimination and harassment of any kind. Such behavior is an affront to the whole community and a betrayal of the ideals of community which the College seeks to foster. The Hanover College Principles leave no

room for behavior that denies a person or persons the full and free exercise of their rights and privileges as members of the College community or creates an intimidating or hostile environment. Specifically, Principles 2, 5, 6 and 9 have this to say:

- I will participate in the open and free exchange of ideas necessary for a meaningful education and a successful democracy.
- I will work to create a safe campus community, free from unjust coercion, harassment, and other threats to persons or property.
- I will practice honesty toward, tolerance of, and compassion for others, working to support the well-being of other members of the College community.
- I will know and adhere to the rules of the College and to state and federal laws, accepting accountability for my own actions and encouraging others to be accountable for theirs.

Discrimination and harassment of any kind conflict with the educational and communal interests of the College. Sexual harassment is a particular form of harassment that falls under a different College policy (for Sexual Harassment Policy please see the policy stated below). This policy deals with student-on-student harassment. If a student feels they have been harassed by an employee or vendor of the college, s/he should refer to the Human Resources Director, Shelly Preocanin (812-866-7097).

Harassment is defined as follows:

*Acts which have the effect of harming, intimidating, or humiliating a member of the community, through the use of physical force, the threat of force, or verbal, visual, or physical abuse, on the basis of race, color, religion, gender, gender identity, marital status, sexual orientation, national origin, age, disability or any other characteristic protected by*

*law. These acts can also be based on no one specific characteristic or combination of characteristics protected by law, but can also be acts which have the effects listed above and violate the basic respect that we owe to one another as members of the Hanover College community.*

### **Retaliatory Discrimination or Harassment**

Any intentional, action taken by an responding individual or allied third party, a participant [**or supporter of a participant**] in a campus conduct or civil rights grievance proceeding or other protected activity [**under this Code**].

This may include, but is not limited to, conduct that threatens the Reporting Party or any other participant, violations of the rules of confidentiality intended to publicize or humiliate any participant, intimidation that is meant to dissuade a witness from participating, or *Student Code of Conduct* violations.

### **Harm or Complicity**

Failure to act on known or obvious violations of the *Student Code of Conduct* or law that could result in serious harm to people or property

### **Abuse of Conduct Process**

Abuse or interference with, or failure to comply in, College processes including conduct and academic integrity hearings including, but not limited to:

- a) Falsification, distortion, or misrepresentation of information;
- b) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c) Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
- d) Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
- e) Failure to comply with the sanction(s) imposed by the campus conduct system;
- f) Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

### **Failure to Comply**

Failure to comply with the reasonable directives of College officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so.

### **Respect**

**College students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:**

### **Harm to Persons**

Intentionally or recklessly causing or attempting to cause physical harm, restricting the freedom of, or endangering the health or safety of any person.

### **Threatening Behaviors:**

- a) **Threat.** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- b) **Intimidation.** Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.

### **Bullying and Cyberbullying**

Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

### **Hazing**

Defined as an act that endangers the mental or physical health or safety of a student, or that 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. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent (**and/or**) failing to discourage (**and/or**) failing to report those acts may also violate this policy. (See *College Student Handbook*, “Community Standards”)

### **Intimate Partner/Relationship Violence**

Violence or abuse by a person in an intimate relationship with another.

### **Stalking**

Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.

### **Sexual Misconduct**

Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation (See *Community Standards Sexual Misconduct Policy* for further information).

**What is Sexual Misconduct?** As regards to students, sexual misconduct is an umbrella term that covers several inappropriate sexual activities. Sexual misconduct applies to all students, employees and vendors regardless of sexual orientation or gender identity. These activities include but are not limited to:

- **Sexual Exploitation** - the unauthorized posting of visual representations of an individual; the refusal to refrain from such postings when requested; and actions that could be construed as voyeurism.
- **Sexual Harassment** – includes, but is not limited to, verbal or written conduct of a sexual nature, stalking, and other forms of non-physical, unwelcome attention.
  - **Hostile environment caused by sexual harassment** - any situation in which there is harassing conduct based on sex or gender that is severe and pervasive or persistent and objectively offensive such that it alters the conditions of education or employment from both a subjective and an objective viewpoint.
  - **Quid Pro Quo** - unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where submission to or rejection of such conduct results in adverse educational or employment action.
- **Sexual Assault** - can be either non-consensual sexual contact or non-consensual intercourse. Non-consensual sexual contact is defined as intentional sexual contact without consent to any body part.

- **Non-Consensual Sexual Intercourse** - defined as intercourse without consent (whether by an acquaintance or a stranger); attempted rape; sodomy (oral sex or anal intercourse) without consent; or sexual penetration with an object without consent.
- **Non-Consensual Sexual Contact**- Sexual contact without effective consent, the deliberate touching of a person’s intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch their own or another person’s intimate parts.
- **Relationship Violence** - defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This includes any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure or wound someone.
- **Stalking** - a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened.

**Related Misconduct, Intimidation & Retaliation of a Witness**

Any reported violations of the *Student Code of Conduct* directly related to a report of alleged sexual misconduct may be considered by the Sexual Misconduct Board in accordance with these procedures. This may include, but is not limited to, conduct that threatens the Reporting Party or any other participant, violations of the rules of confidentiality, intimidating a witness from participating, or *Student Code of Conduct* violations arising in the course of the sexual misconduct.

Hanover College strictly prohibits retaliation against any individual for reporting, providing information, exercising ones rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations of sex discrimination, sexual harassment, and sexual violence. Therefore, any retaliation, intimidation, threats, coercion, or discrimination against any such individual, undertaken or attempted

either directly or by someone acting on behalf of another, will be addressed in the most serious way by Hanover College, and individuals who engage in such actions are subject to discipline up to and including suspension, expulsion, or dismissal from the College, consistent with College procedure. Anyone who is aware of possible retaliation or has other concerns regarding the response to a complaint of sexual misconduct should report such concerns to the Title IX Coordinator or to any Student Life Staff Member, who shall take appropriate actions to address such conduct in a prompt and equitable manner.

**No Trespass Orders**

Any person, regardless of status or designation, may be removed from College properties if (1) they poses an immediate and substantial risk of physical harm or injury to others, (2) engages in conduct that indicates the immediate intent to damage or destroy property of the College, and/or (3) unreasonably interferes with the customary and lawful activities and functions of the College.

**No Contact Orders**

No-Contact Orders are issued by the Office of Student Life (OSL) in cases where it is determined that contact between two or more individuals is disruptive to the educational process and/or the Hanover community. OSL will consider requests for No-Contact Orders from students who feel it may be appropriate. Violating the No-Contact Order will result in disciplinary action, beginning with an administrative review.

No-Contact Orders are not permanent, and can be reassessed. It should be noted that although Campus Safety Officers will help enforce these orders on campus, No-Contact Orders do not have legal standing like court granted restraining orders, which can result in prison time if violated, therefore, Hanover College cannot enforce No-Contact Orders anywhere outside of Hanover College’s campus.

An example of a No-Contact Order may read:

*“Effective immediately, and until further notice, you are not to attempt to contact [name] in any way (face-to-face, via written message, telephone or any electronic media). In an effort to minimize the chances of any problematic interactions, the OSL has asked [name] to abide by the same guidelines. Hanover College is a small campus, and for many students, it*

*may be difficult to avoid all contact (e.g., walking in the same vicinity, eating in the CC, going to class, etc.). While OSL does not expect either of you to leave campus, miss appointments, or fundamentally alter your daily routine in any way that would cause you significant inconvenience, OSL will ask each of you to do your best to stay out of each other's way, including avoiding any unnecessary visits to each other's living units. Violation of the No-Contact Order will result in disciplinary action".*

### **Responsibility**

**College students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:**

#### **Alcohol**

- Possession and consumption of alcoholic beverages at any time by individuals under the age of twenty-one (21), as well as the sale/distribution of such beverages to those individuals.
- Driving a motor vehicle while intoxicated.
- Possession/use of false identification.
- Illegal possession, use or distribution of drugs.

Committed to the safety and wellness of the campus community, Hanover College has further imposed restrictions on the possession and consumption of alcohol on campus. Specifically, the following are prohibited on the campus grounds:

- The use or possession of common source containers (such as kegs, mixed drinks, or punch served in large quantities).
- Possession or use of alcohol-related paraphernalia, including beer bongs and funnels, or engagement in activities and/or drinking games that contribute to high-risk drinking behavior.
- Active participation in or facilitation of dangerous drinking or drug use.

- Any conduct occurring when the student is under the influence of alcohol that violates the rights of others or leads to disorderly or dangerous behavior.
- Students may consume alcohol on campus ONLY in designated private living units, the Shoebox or at Sanctioned Wet Events.

#### **Student Housing Policy Regarding Alcohol**

- If over twenty-one (21) years of age, students residing in campus housing may possess and consume alcohol inside private living units provided that they have successfully completed an educational session conducted by the Office of Student Life on responsible alcohol consumption.

Private living units are defined as individual rooms, or individual suites. The use of alcohol by students over the age of twenty-one (21) will be respected as a personal choice as long as it does not violate the Alcohol and Drug policy or any other college policies.

- Each of-age student is permitted to have a reasonable amount of beer and wine for personal use, though hard alcohol (i.e. liquor) is not permitted. However, the expectations for reasonable possession are secondary to the College's expectations for reasonable and healthy behavior. In no circumstances should a student's blood alcohol content (BAC) exceed the statutory level of impairment as defined by the State of Indiana.
- Open containers of alcohol are restricted to private living units (individual rooms or suites).
- All first-year housing will be alcohol free.
- A student who is hosting a visitor who is not connected to the college is responsible for the behavior of their guest.

#### **Drugs**

- Distribution/Trafficking; distribution of illegal drugs on college premises is prohibited.
- Paraphernalia use and or possession of drug paraphernalia on college premises is prohibited.

- Possession/Consumption; use and or possession of illegal drugs on college premises is prohibited.
- Abuse, misuse, sale, or distribution of prescription or over-the-counter medications.

### Health and Safety

Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.) Practices such as propping doors open or admitting strangers are potentially dangerous and is prohibited.

### Outdoor Policies

Hanover College is located in a beautiful natural location. It is the responsibility of all Hanover College community members to take care of our natural environment and keep it clean and tidy. Community members should also take precautions while exploring and enjoying our natural landscape to protect self and the environment.

### Grounds

Students have a responsibility to keep the grounds of the campus looking clean and tidy. This includes the grounds of residence halls, including Greek chapter facilities.

### Fire Pit Usage Policy

- Students or student organizations must contact **Campus Safety (812.866.7999)** for approval to have a fire in a fire pit. Campus Safety will be aware of any local burn bans and/or wind advisories. Campus safety will periodically monitor the location of the fire. All fire pits must be in accordance with local fire ordinances.
- Fire pits may only be used between the hours of 6:00pm to 10:00pm Sunday-Thursday and 6:00pm-12:00am Friday and Saturday.
- Students must have a water source or personal fire extinguisher in the direct vicinity of the fire pit while in use. Fires must be extinguished immediately following the conclusion of the event.

Students must contact Campus Safety to inform them that the fire has been extinguished.

- No unapproved materials may be burned in the fire pit (i.e. paper, gasoline, anything considered flammable, etc.). Only untreated wood is to be burned in the fire pits.
- Campus Safety or a Hanover College official may discontinue the use of the fire pit at any time.
- There can be no horseplay or alcohol around the fire pit.
- Straw or hay bales are not to be used for seating and/or decorative purposes within 25 feet of the fire pit while in operation.
- Fire pits may not be left unattended while in operation at any time.
- Fire pits and area must be cleaned after every event by the sponsoring club/organization and all items used must be stored. No chairs, tables or other interior or lawn furniture may be left out overnight without approval from OSL.
- All policies and procedures of Hanover College must be followed at all times (i.e. alcohol or other illegal substances). Students/student organizations that violate this policy are subject to disciplinary sanctions as listed in the *Student Code of Conduct* including loss of fire pit privileges.

### Grills

- Use of grills (charcoal and gas) are not permitted inside, on balconies, or exterior stairwells of buildings. Charcoal grills are permitted on the grounds, but must take place at least 25 feet from buildings.
- Propane gas containers must be stored outside, at least 3 feet away from building openings such as doors, windows, dryer vents and air intakes.
- Grills must not be left unattended and must be totally extinguished before leaving. The College may confiscate any grill that is used inappropriately and any container of propane gas or other flammable liquid without notice.
- No chairs, tables or other interior or lawn furniture may be left out overnight without approval from OSL.

### Hiking on Campus

- a) Avoid hiking alone. The “buddy system” is the safest plan for hiking. If traveling with a group, never stray from the group.
- b) Tell someone where you are going and when you will return. Don’t forget to check in with them when you get back. Cell phone reception in Happy Valley is limited.
- c) Please stay on marked trails or hike in the creek bed. ([Trail Map](#)) Making shortcuts and “bushwhacking” causes erosion and greatly increases your chance of becoming lost. As you hike, pay attention to trail blazes (paint marks on trees) and landmarks.
- d) Never climb on waterfalls or wet rocks. These can be surprisingly slippery, and major head injuries can occur from minor falls. Report any injury to campus safety immediately. **Campus Safety 812.866.7999 or 812.801.1533**
- e) Never go beyond fences or restricted areas.
- f) Please remove all trash to you bring in or find.
- g) Do not remove any natural objects from the area.

### **Camping on Campus**

- a) All campers need to register their camping trip with Campus Safety in case of emergency.
- b) Students may not camp on or near the top of the waterfalls on campus.
- c) Campfires are **prohibited** in Happy Valley (*See fire pit policy for fires on campus*). Camp stoves are available for check out from Student Life.
- d) Campers need to clean up their site before leaving their site. Trash must be removed from the campsite.
- e) Alcohol is not permitted in the camping areas at any time.
- f) Report any injury to campus safety immediately.
- g) **Campus Safety 812.866.7999 or 812-801-1533**
- h) Students may only camp on campus property. Students should be aware of property lines in Happy Valley specifically IKE property. This area is monitored and dangerous.

### **Residence Hall Policies**

### **Campus Motor Vehicle Policy**

### **Conduct Sanctions**

#### **Admonition**

An oral statement that a student has violated college policy.

#### **Letter of Warning**

A written reprimand that expresses disapproval of the student's action and that continuation or repetition of that action may be cause for more severe disciplinary action.

### **Educational Sanction**

Requirement that a student write a paper, plan and/or present a program, attend a class, or complete other educational requirements.

### **Special Assignment**

A work penalty or other special assignment as an alternative to a monetary fine or in conjunction with other sanctions to be completed by a specific date.

### **Monetary Fine**

The amount of the fine will depend upon the severity and degree of infraction. All payments are made to the Office of Student Life by a specific date unless special arrangements have been made with the Judicial Coordinator.

### **Restitution**

Reimbursement to the College or member of the College community for costs of damages to or theft of community or personal property. This may take the form of appropriate service and/or monetary or material replacement.

### **Revocation of Privileges**

Denial of participation in privileged or extracurricular college activities or removal of special privileges, for a designated period of time.

### **Alcohol/Drug/Anger Assessment**

Examination by a qualified counselor as determined by the College. Any student referred for assessment is required to follow through with the recommendations made by the counselor. The student must pay for any expenses incurred.

### **Specific Sanctions for Alcohol Violations**

Violations of the College alcohol and drug policies that are adjudicated on campus will be brought before a Chief Conduct Review Officer and/or the Community Conduct Review Board. The specific sanctions for violations will depend upon the nature of the incident and the number of previous violations.

### **Minor Violations**

- Public consumption
- Public intoxication
- Possession by a minor or by an of-age student who has not completed the alcohol education class

<b>Warning:</b>	Documentation but no sanctions
<b>Tier 1:</b>	Alcohol Education, \$100.00 fine, 8–10 hours of Community service for the college, meeting with Dean of Students
<b>Tier 2:</b>	Alcohol Assessment with Counseling Services, \$200.00 fine, 10–20 hours of community service for the college, Parental Notification*

*The next Alcohol Policy violation of any kind will be classified as the First Offense, Major Violation.*

### **Major Violations**

- Serving to minors
- Serving to individuals already intoxicated
- Driving under the influence and driving while intoxicated either on or off College campus
- Intoxication leading to harm to self or others
- Intoxication leading to property damage, disruption to the community, or other violations of Hanover College Policy

<b>Tier 3</b>	Alcohol Education, \$300.00 fine, 20–30 hours of Community service for the college, meeting with the Dean of Students, Parental Notification*
<b>Tier 4:</b>	Alcohol Assessment, \$500.00 fine, 30–40 hours of community service for the college, meeting with the Dean of Students, Parental Notification*, Disciplinary Probation
<b>Tier 5:</b>	Alcohol Assessment by outside agency, Parental Notification, \$500.00 fine, Suspension is recommended

### **Parental/Guardian Notification**

Parents or guardians of dependent students are informed of the violation and sanctions of an incident. This may occur in one of three ways: a) a student is required to contact parents/guardians and the parents/guardians must contact the Judicial Coordinator or designee to note that they have been informed of the incident; b) written notification is sent home to the parents/guardians by the Judicial Coordinator or designee; c) parents/guardians are contacted by the Judicial Coordinator or designee over the phone.

### **Specific Sanctions for Non-Compliance**

A hold is placed on the Student's records until the original sanctions are completed.

### **Disciplinary Counseling**

Opportunity for constructive counseling with a qualified person(s) of the College.

### **Disciplinary Probation**

Written reprimand including a statement that any further violation of College policy may result in suspension or dismissal.

### **Living Unit Dismissal**

Requires that a student leave their residence hall, Greek chapter house, or College-owned housing by a determined time. The student is restricted from moving into any other College or Greek chapter housing and is not entitled to any refund from room and board, nor permitted at any time to be on the premises of a residence hall, Greek chapter house, or College-owned housing. Parent(s) or guardian(s) of dependent students will receive written notification.

### **Interim Suspension**

Temporary separation from a residential area or the College pending a hearing with a Conduct Review Officer or a Judicial Board. If separated from the College, the student is not permitted to be on campus at any time unless authorized by the Dean of Students. An interim suspension shall not exceed a two-week time period. Additional violations or failure to comply with other requirements stipulated during this period of interim suspension may result in expulsion. Parent(s) or guardian(s) of dependent students will receive written notification

### **Suspension**

Separation from the College for a specified period of time, in which the student is not permitted to be on campus at any time unless authorized by VP of Student Affairs. Additional violations or failure to comply with other requirements stipulated during this period of suspension may result in expulsion. The student may apply to the Admissions Office for readmission when the sanction has expired. This penalty does not require approval by the Conduct Review Officer/Judicial Board if it originates from the Registrar's Office as an academic dismissal parent(s) or guardian(s) of dependent students will receive written notification.

### **Dismissal**

The most severe sanction for violation of College policy. An immediate termination and permanent separation of student status from the College. Dismissals will be noted on an individual's transcript. Parent(s) or guardian(s) of dependent students will receive written notification. A dismissed student may not be entitled to return of tuition, room or board.

### **Appeals**

Students may appeal any sanction or outcome to the Dean of Students by notifying the Dean in writing, within seven (7) calendar days of the date of the decision. Appeals may only be premised on allegations of bias, conflict of interest, procedural violations that affects a substantial right or new information that was not available at the time of the hearing. The Dean of Students may either affirm the sanction or modify the sanction. Any modification of the sanction shall be done in consultation with the Hearing Board. The decision of the Dean shall be rendered within five business days of receiving the appeal. Both parties will be notified of the outcome of the appeal. The College President will be notified of all final outcomes.