

UNIVERSITY POLICIES AND PROCEDURES

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1.DREW UNIVERSITY HUMAN RIGHTS POLICY

STATEMENT AGAINST VERBAL HARASSMENT AND HOSTILE PHYSICAL CONDUCT

Each member of the University community is expressly prohibited from severe or pervasive verbal or physical conduct that creates for other members of the community an intimidating, hostile, or offensive environment for living, working, or learning.

STATEMENT AGAINST DISCRIMINATION

Discrimination in education or employment on the basis of age, ethnicity, gender, national origin, physical disability, race, religion, or sexual orientation is also prohibited.

STATEMENT AGAINST SEXUAL HARASSMENT

Sexual discrimination in the form of sexual harassment is defined as the use of one's authority or power to coerce another person into unwanted sexual relations or to punish another person for that individual's refusal, or the creation of an intimidating, hostile, or offensive environment for living, working, or learning by a member of the University community through repetitive verbal or physical conduct of a sexual nature. You can read the entire policy at <http://depts.drew.edu/cladean/shp.htm>.

WHAT YOU SHOULD DO

A student who believes he or she has been discriminated against by another student or by a faculty or staff member has the right to register a complaint and seek redress of his/her grievance, following the procedures outlined in the Sexual Harassment Policy (12).

FOR SEXUAL HARASSMENT COMPLAINTS

Dr. Wendy Kolmar, Co-Chair, Sexual Harassment Committee, Brothers College 104A, x3944

All sexual harassment complaints will be dealt with following the procedures outlined in the University's Sexual Harassment Policy, 12.

2.ACADEMIC INTEGRITY (CLA)

Students attend college in order to educate themselves. The various exercises that absorb so much time and energy during the semester—tests, reports, problem sets, essays, and term papers—are all purposeful opportunities enabling students to develop and display their acquired skills, knowledge, and capacity for critical thinking and creative analysis. Since academic dishonesty necessarily hinders such development, it cannot be tolerated under any circumstances. Accordingly, Drew University has established standards of academic integrity and procedures governing violations of them. These basic standards apply to all work done at Drew.

In response to an allegation of academic dishonesty, the Dean of the College will convene and chair a hearing of the Academic Integrity Committee, which will be made up of two faculty members and one student from the College Student Conduct Board plus the accused student's academic adviser or another faculty member of the accused student's choosing. Sanctions range from probationary measures to expulsion from the University.

a. First offense: maximum penalty, suspension from the College; disqualification from Honors may be one of the penalties exacted.

b. Second offense: maximum penalty, dismissal from the College.

Students are expected to study and comply with these principles as detailed in a separate "Standards of Academic Integrity" booklet distributed to new students at the beginning of the school year.

Graduate and Theological Students should follow the regulations as stated in their respective sections of Daniel's.

3.AFFIRMATIVE ACTION

depts.drew.edu/affirmativeaction

Prof. George-Harold Jennings, UAAO Sycamore Cottage, gjenning@drew.edu x3392

The University supports the view that there is strength in diversity and toward this end it has developed an affirmative action policy that promotes and celebrates multiculturalism. If you feel you (or someone you know) have been subjected to acts of discrimination based on

gender, race, ethnicity, age, religion, national origin, disability, or sexual orientation—or if you become aware of situations in which the University’s support of multiculturalism and affirmative action is violated—contact the University Affirmative Action Officer (UAAO) or the Dean of Campus Life and Student Affairs.

4.CITIZENSHIP

Students, as both citizens and members of the academic community, enjoy the same freedoms of speech (as stated in the Human Rights Policy above)—peaceful assembly, right to privacy, and right of petition—that other citizens enjoy, and they are subject to the obligations that accrue to them by virtue of their membership. See also Rights and Responsibilities of Students, policy 8 in the Appendix.

5.COMMUTING STUDENTS (CLA)

groups.drew.edu/commuters

Commuters are entitled to all the privileges of resident students (except room and board) and are subject to the same restrictions. Therefore, commuters should read this handbook carefully and, if questions arise, refer to the Dean of Campus Life and Student Affairs for further clarification.

Commuters are welcome to stay overnight with friends in a residence hall, especially if they are planning to stay late on campus. They may apply for voicemail boxes (contact Telecommunications at x3333) from which they can access messages sent by friends and administrators.

There is a “Commuter Corner” in the University Center and an active commuters club called Commuters@Drew.

6.DISABLED ACCESS

Peggi Howard, 504 Compliance Officer, Mead Hall, x3100

Drew strives to accommodate the needs of individuals whose disabilities range from mild to severely limiting. As is Drew’s intent in dealing with all students, disabled students are accommodated with personal attention and the University tries to employ its resources to ensure that each disabled student has equal access to a Drew education.

Several staff members have an overview of provisions at Drew for disabled students. Students seeking information on accessibility may also contact the Dean of Campus Life and Student Affairs, x3390

7.EMERGENCY PROCEDURES

In case of a fire, medical, or police emergency, use any Drew network phone and dial x4444 (973/408-4444 from non-network phones) to reach the Department of Public

Safety. Describe the location and nature of the emergency to the dispatcher, who will summon appropriate help immediately. The dispatcher on duty has direct contact with emergency officials. Dispatchers report all emergency calls to the Director of Public Safety even if assistance is ultimately provided from outside the University.

8.STATEMENT OF RIGHTS AND RESPONSIBILITIES OF STUDENTS

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well being of society. At Drew, we believe that free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in sustained and independent search for truth.

Freedom to teach and freedom to learn are axioms of academic freedom. As the freedom to learn is dependent upon appropriate opportunities and conditions (in the classroom, on the campus, and in the larger community) it is our goal to provide such an environment. However, the responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community.

The statements of policy set forth here are intended as a framework within which this mutual responsibility may be exercised with a minimum of misunderstanding and confusion.

I. ACCESS TO UNIVERSITY FACILITIES

A. The facilities of Drew University shall be open to all of its duly matriculated students and members of students’ immediate family residing on campus. The invited guests of matriculated students shall be welcomed on campus subject to specific regulations governing the use of its several buildings and facilities, and provided that the guest respects the University’s standards of individual responsibility and conduct at all times. Invited guests must be accompanied by a matriculated-student host at all times. Student hosts are responsible for the actions of their guest.

B. Students of the University currently have free access to the book stacks of the general collection in the Rose Memorial Library. Continuance of such freedom of access is contingent upon student acceptance of responsibility for the collection and respect for the procedures established for its proper use.

C. Regulations regarding the use of Drew University’s property and facilities for solicitation, commercial sales,

fund raising, distribution of literature, and the like by other than duly matriculated students, faculty, and staff are available in the Office of the Dean of Campus Life and Student Affairs and in this Appendix. Any person or organization violating such regulations shall be considered a trespasser by the University. (Please see policy regarding use of Drew University facilities and buildings (Policy 14).

II. ACADEMIC PURSUIT

All members of the academic community shall encourage free discussion, inquiry, and expression in all phases of academic life. Student performances shall be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

A. Protection of Freedom of Expression: Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion.

B. Protection Against Improper Academic Evaluation: Students shall have protection through orderly procedures established by faculty against prejudiced or capricious academic evaluation. At the same time, students are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

III. PRIVACY OF STUDENT RECORDS

A. Drew University respects and seeks to safeguard the confidential nature of the following materials that comprise a student's record:

1. Such documents as have been submitted in application for admission to the University or in application for financial aid
2. The transcript of a student's academic record at the University and at other places where the student may have studied
3. The record of a student's disciplinary history at the University
4. Medical and psychological-counseling records compiled during the course of a student's career at the University

B. Such confidential information will be made available only to authorized persons on campus.

1. Authorized persons on campus (with universal access to all students' records except those specified in No. 4 above, unless the student gives permission) are defined as the President of the University and all respective deans (the Dean of Educational Affairs and the Dean and Associate Dean of Campus Life and Student Affairs, and their designees).

2. Because of the nature of their responsibilities, the following persons shall be authorized to have access to the records as specified in No. 1 and No. 3 above: admissions

committee, financial aid committee, registrar, and counseling personnel

3. Advisers have access to admission folders and transcripts, and faculty has access to transcripts on the direct or implied request of the student

C. Confidential information contained in a student's records shall not be made available to persons or institutions off campus without the written permission of the student pursuant to court order or subpoena, or according to FERPA regulations.

1. In the case of a court order, the University shall with reasonable promptness attempt to notify the student concerned.

2. In cases involving the physical or mental illness of a student, the University may act without student consent in providing such medical or psychological records as may be deemed professionally necessary by the attending physician or counselor.

3. Students shall have access to all information in their files with the exception of letters of recommendation that they have requested be written on a confidential basis. Students should contact the Dean of Campus Life and Student Affairs at x3390 to review their files.

D. According to a record-retention schedule maintained by the University, all references to disciplinary history and other material having no direct bearing on the academic record shall be destroyed three years after a student's graduation (or separation from Drew) with the following exception: The files of students who have been involved in reportable offenses (such as assault, drugs, etc.) will not be destroyed until three years following the final disclosure of Clery statistics.

1. This provision is to be understood as permitting the recording of any institutional action, such as suspension or expulsion for academic or disciplinary reasons, which affects a student's eligibility to re-register at the institution.

2. Drew University shall maintain no records of a student's political activity or beliefs.

E. The Office of the Registrar reserves the right to issue copies of a student's academic record to that student's high school or previous college when such information is requested for use in evaluating the educational program.

IV. STUDENT AFFAIRS

In student affairs, certain standards must be maintained if the freedom of students is to be preserved. An individual, by virtue of his/her status as a student, is a member of a community, the very existence of which is contingent upon the responsible behavior of the individual members; namely, that their exercise of freedom takes full cognizance of the rights of others.

A. Campus Organizations: Students bring to the campus a variety of interests previously acquired, and, as members of the academic community, they often develop new

interests as well. They shall be free to organize and join associations to promote these interests. Organizations having or seeking institutional recognition shall be required to submit to the appropriate board, such as the Extra-Curricular Activities Board (ECAB), a statement of purpose, criteria for membership, rules of procedures (including those for financial accountability), and a current list of officers. When seeking institutional recognition, a membership list may be requested only to establish noted support for an organization and to ensure lack of duplication of organizations; in addition, all groups seeking recognition must name an adviser who will be active and knowledgeable about the group's activities. The University, by permitting recognition, does not necessarily signify its approval or endorsement of the organization's values.

1. Campus organizations, including those affiliated with an extramural association, shall be open to all students without respect to race, ethnicity, gender, creed, sexual orientation, or national origin.

2. Membership, policies, and actions of student organizations shall be determined by vote of only those persons who hold *bona fide* membership in the College or University community, following guidelines established by the appropriate committee of each school within the University.

3. Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.

4. With the exception of certain activities where advisory duties are part of an individual's employment contract with the University (such as in athletics and dramatics), each organization shall be free to choose its own adviser. It is required of all groups seeking recognition, and strongly encouraged of existing organizations, to identify an adviser. Institutional recognition and/or approval of certain activities (such as travel) may be withheld or withdrawn due to the inability of a student organization to secure an adviser. The adviser shall guide the organization in the exercise of responsibility but shall not have the authority to control the policy of the organization (unless it is to uphold University, local, state, or federal rules and regulations).

5. Student groups are free to hold programs and events, but must be in compliance with University regulations and procedures.

B. Inquiry and Expression: Freedom of inquiry and expression is integral to the definition of a university. As an academic community, the University is devoted to the objective, reasoned, and fair study of all issues and questions. There are times when the study of certain questions will be the subject of disagreement and controversy. While free to voice their objections and to protest, students shall be responsible for helping to maintain an atmosphere in which objective and rational study can continue.

1. Students and student organizations shall be free to examine and discuss all questions of interest to them and to express opinions publicly and privately by demonstrations or in other ways, conducted in an orderly and non-obstructive manner. Students should be free, and no special permission should be required, to distribute pamphlets or collect names for petitions and solicit support.

2. Students shall be allowed to invite and to hear any person of their own choosing. Those routine procedures required by the University before a guest speaker is invited to appear on campus shall be designed to ensure that there is orderly scheduling of facilities and adequate preparation for the event, including the financial requirements, and that the occasion is conducted in a manner appropriate to an academic community.

3. Students have the responsibility to make clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed by either the sponsoring group or the institution. All publicity shall clearly indicate that the views expressed or to be expressed are those of the guest speaker and are not necessarily those of Drew University.

4. No publicity may be released to the public, press, radio, or television except through the Office of Communications.

5. No student may enter into or sign a contract in the name of Drew University (or for any group within the University) without first seeking approval (and the signature) of the Director of Student Activities and/or his/her designee.

Groups not recognized by the University must follow the guidelines of the Housing, Conferences and Hospitality Office.

C. Student Participation in Institutional Government

1. As constituents of the academic community, students shall be free individually and collectively to express their views on issues of institutional policy and on matters of general interest to the student body. Students should participate in the formulation and application of institutional policy affecting academic and student affairs. The participation of the student body "in the formulation and application of institutional policy affecting academic and student affairs" may involve a variety of activities ranging from student discussion of proposed policy in committees and in organized agencies of student government or through the student press, to the more formal determination of policy by groups that include student members or, where and if delegated by appropriate authority, by groups that are composed only of students. Such participation is a responsibility as well as a right. Through such participation, students share in the responsibility of responding to the needs and wishes of all members of the academic community.

2. Student associations may be organized to act as the central deliberative body of the students of each of the schools of the University and to exercise such legislative powers as are delegated by the respective faculties and the trustees. It is understood that the faculty and administration will consult with the student body or with individual students when requested, and when it is deemed appropriate will review proposed student legislation. The faculty, administration, and student associations retain the right of final review in matters pertaining to their respective jurisdictions.

3. Student Publications: Student publications and the student press are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the University community, authorities, and of formulating student opinion on various issues on the campus and in the world at large.

V. STUDENTS AS CITIZENS

A. Exercise of Rights of Citizenship: Drew University students, as both citizens and members of the academic community, shall enjoy the same freedom of speech, peaceful assembly, right to privacy, and right of petition that other citizens enjoy and they are subject to the obligations that accrue to them by virtue of their membership.

Faculty members and administrative officials shall ensure that institutional powers are not employed to inhibit such intellectual and personal development of students as is often promoted by their exercise of the rights of citizenship both on and off campus.

Specifically, students who absent themselves from class as an exercise of conscience or in support of their rights of citizenship should receive no penalties other than those normally resulting from class absence.

B. Institutional Authority and Civil Penalties:

Students who violate the law may incur penalties prescribed by civil authorities. Drew University's institutional authority shall never be used merely to duplicate the function of general laws. Only where the interests of Drew University as an academic community are distinctly and clearly involved should the special authority of the institution be asserted according to regular student conduct procedures.

Disciplinary actions undertaken by Drew University will normally proceed during the pendency of any criminal proceedings, and the University's disciplinary actions shall not be subject to challenge on the ground that a criminal allegation involving the same incident is pending, has been dismissed, or has been reduced.

The status of a student shall not be altered, or the right to be present on the campus and to attend classes suspended, except when it is clear that a threat exists to the health, safety, or well-being of the campus community. Either the

President or the Dean of Campus Life and Student Affairs (or designee) may, upon finding that such a threat exists, revoke a student's right to be on campus or suspend a student from class for an interim period pending a prompt hearing pursuant to University disciplinary procedures. Any such interim revocation or suspension shall become immediately effective upon the required finding being made without prior notice to the affected student. On application of the affected student, the University official (or designee) invoking the interim revocation or suspension shall, within ten (10) business days, meet with the suspended student to consider only the reliability of the information regarding the student's conduct and whether the conduct and surrounding circumstances reasonably indicate that the presence of the student on campus or in class continues to threaten the health, safety, or well-being of the campus community.

9. STUDENT CONDUCT POLICY

The disciplinary process shall, insofar as the setting of the University permits, strive to allow procedural fairness. The University does not have full judicial authority so far as the law is concerned and, therefore, does not intend to replicate judicial proceedings as followed in civil or criminal legal proceedings. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in student conduct proceedings. The University will, however, make every effort to protect students from arbitrary or capricious disciplinary action, to ensure fairness to all parties involved, and to achieve an informed and equitable result from the process.

Confidentiality: All meetings and all information gathered during the student conduct review process is confidential to the extent outlined by FERPA and University policy (see Privacy of Student Records) and shall not be released except with cause through the Office of the Dean or Associate Dean of Campus Life and Student Affairs. Any question of interpretation or application of the Student Conduct Policy shall be referred to the Dean of Campus Life and Student Affairs, or the Dean's designee, for final determination.

Information regarding sanctions will not be released to faculty or staff except in the following circumstances:

- An educational need is identified
- Disclosure is one of the sanctions
- A student is thought to be a risk to him/herself or others

Attorneys and/or non-University advisers may not participate in, or attend, student conduct hearings. Student Conduct Board hearings and administrative meetings are separate from local, state, and federal court proceedings.

I. ACADEMIC DISCIPLINE (CLA) is discipline resulting from violations of academic matters and is the responsibility of the faculty, following these procedures:

A. Matters of Academic Dishonesty: See the Standards of Academic Integrity booklet that is distributed to each student by the First-Year Seminar instructor. (Transfer students with sophomore standing or higher receive it from their adviser.) This booklet describes academic violations (such as plagiarism, duplicate submission, cheating) and the process by which violations are adjudicated. Graduate and Theological Students should refer additionally to the text in Daniel's above.

B. Matters of Academic Standing: The Committee on Academic Standing determines status when a student's GPA falls below 2.00 or the student does not, at the end of the academic year, successfully complete the proper multiple of at least 12 credits.

1. Committee Process

a. This year, the members of the Committee on Academic Standing are four faculty members, the Dean of the College, the Dean of Educational Affairs, two students and the Registrar.

2. Sanctions

a. Warning or academic probation

b. Required leave of absence or dismissal of the student from the College on academic grounds. Student may be required to withdraw or take a leave of absence from the College for unsatisfactory scholarship:

i. For failure to maintain satisfactory progress as defined above

ii. For failure to improve after one semester on probation

iii. For failure to qualify for good standing after two semesters on probation

iv. Irrespective of the general average, for any semester in which no credit is earned or semester GPA is below 1.4

II. NON-ACADEMIC DISCIPLINE stems from violations of the Student Conduct Policy and is generally under the jurisdiction of the Associate Dean of Campus Life and Student Affairs.

A. University Jurisdiction: The University will exercise jurisdiction over any and all offenses against the University and its community whether the offense is committed on or off campus.

B. Offenses against the University and the Drew Community: The following may be regarded as offenses against the University and its community, whether the offense is attempted or completed. Members of the Drew community and their guests are bound by the following rules. Sanctions may result as set forth in section G, including suspension or expulsion:

1. Behavior Disruptive to University Functions:

Obstruction or disruption of any regular or special function of the University; participation in, or encouragement of, any effort to disrupt a class; creating a public inconvenience, annoyance, or alarm; unreasonable noise.

2. Assault: The use (or threat of use) of physical force against any member of the University community;

intentionally or recklessly causing physical harm to any person on the University campus or at a University-sponsored activity; intentionally or recklessly causing an individual to inflict physical harm on another person or on him/herself; verbal coercion; intimidation.

3. Abuse of Self or Others: Inflicting mental or bodily harm upon any person (including one's self); engaging in any intentional or reckless action from which mental or bodily harm could result (including one's self); causing a person to believe that the offender may cause mental or bodily harm.

4. Sexual Assault: Sexual assault and sexual harassment are defined in the Sexual Harassment Policy (section 12) and will be dealt with by the University Sexual Harassment Committee. The entire policy (including procedures) is available at the UC Desk and in the University Library and online at <http://depts.drew.edu/cladean/SHP.htm>.

5. Disorderly Conduct: Engaging in fighting or threatening, displaying violent or tumultuous behavior, or creating an unreasonably hazardous or physically dangerous condition while on the University campus or at a University-sponsored event.

6. Weapons and Explosives: The sale, purchase, possession, distribution, or use of any firearm, explosive, firecracker, incendiary materials, knives (other than pocket knives), or other weapons.

7. Alcohol Infractions: Any violation of the University's Alcohol Policy as defined in the Appendix, section 10. This includes any violation of the law concerning consumption, possession, and purchase of alcohol as mandated by the State of New Jersey.

8. Drug Infractions: The sale, purchase, possession, distribution, or use of any controlled dangerous substances and/or drug paraphernalia, as defined in the Appendix, section 11.

9. Failure to Provide Identification: Failure to produce valid identification (such as a student ID) when requested by the proper authorities.

10. Misuse of Documents: Forgery, alteration, misappropriation, or unauthorized disclosure of University documents/records, official student documents/records, or student identification cards (IDs).

11. Theft: Intentionally, carelessly, or recklessly taking, or attempting to take, or borrowing without authorization, any University property or any private property of a member of the University community. The unauthorized use of the name "Drew University" or the University seal is considered theft.

12. Damage/Vandalism: Intentionally, carelessly, or recklessly damaging or destroying any University property or any private property of a member of the Drew community.

13. Stolen Goods: The sale, distribution, or knowing purchase or possession of any property illegally obtained either on or off campus.

14. Unauthorized Entry/Trespassing: The unauthorized entry into any University-owned property or

privately owned property on the University campus, either forcibly or non-forcibly; unauthorized entry into any designated restricted area; unauthorized use of keys (including electronic keys).

15. Human Rights Violations: Any violation of the Human Rights Policy as enumerated in the Appendix of this handbook, section 1. This includes severe or pervasive verbal or physical conduct or the display or publication of words, pictures, or symbols intended to offend personally or to create an intimidating, hostile, or offensive working or educational environment for members of the other sex, other races, religions, ethnic groups, or persons of differing views or sexual orientation.

16. Interfering with Freedom of Expression: Intentionally or substantially interfering with the freedom of expression of others on the University campus or at University-sponsored activities.

17. Failure to Comply with the Directive of a University Official: To disregard or ignore the directions of University officials acting in the performance of their duties; to demonstrate disrespect through verbal or physical abuse.

18. Interfering with Fire Safety: Intentionally, carelessly, or recklessly tampering with, damaging, or misusing fire-safety equipment such as, but not limited to, fire extinguishers, smoke alarms, sprinkler systems, or exit signs; unauthorized burning of any material in any University building or on or near University property; disregarding a fire alarm or refusing to evacuate a building or section of a building when a fire alarm is sounding; intentionally registering or causing to be initiated any false report, alarm, warning or threat of fire, explosion, or other emergency on the University campus or at University-sponsored activities. Obstruction of fire escapes, corridors, or stairways.

19. Misuse of Computer, Network, or Telephone Equipment: Any misuse of the computing network or equipment as explained in the Appendix, section 15, including the telephone network or equipment. Placing an obscene or abusive phone call is illegal and may violate federal (as well as University) regulations.

20. Hazing: Any action taken, or situation created intentionally, whether on or off campus, which produces mental or physical discomfort, embarrassment, or ridicule; where participants are endangered physically or mentally; where participants are pressured against their will to participate; where the participants are targeted based on class year or other criteria; which is a violation of the participant's human rights; that is not in compliance with the University's general mission, philosophy, and policies. The expressed or implied consent of the victim will not be a defense. Apathy, indifference, or acquiescence in the presence of hazing are not neutral acts, and therefore are a violation of this rule.

21. Improper Solicitation: The unauthorized sale of goods on the University campus without University-issued

permission or license; the unauthorized request for donations on or off the University campus.

22. Violation of Sanctions: Knowingly violating the terms of any disciplinary sanction (such as probation) previously imposed by the University.

23. Assisting Another to Commit an Offense: Aiding, abetting, or assisting another to commit, to plan, or to attempt to commit any of the above offenses against the University community.

24. False, Vicious, Malicious Allegations: Knowingly bringing false allegations against the University or another person for any reason.

25. Providing False Information: Intentionally counterfeiting and/or misrepresenting information to the University, including incidents of fraud and embezzlement.

26. Violation of Campus Housing Regulations (Community Standards): Violations of campus housing regulations, as enumerated in the Residence Life/Rules and Regulations section of this handbook and the housing agreement, including additional regulations imposed during break housing.

27. Violation of Campus Car/Parking Regulations: Violations of the campus car/parking regulations as enumerated in the Drew University Traffic and Motor Vehicle Regulations Handbook, available online and from the Department of Public Safety.

28. Violation of Public Law: All Drew University students are bound by local, state, and federal laws. The University will not interfere with the administration of public law and, in cases that affect the Drew community, may impose sanctions even for violations that occur off campus.

29. Intimidation of Witnesses: In instances of alleged intimidation of witnesses, the Associate Dean of Campus Life and Student Affairs will investigate the allegations. All parties involved will be heard separately. If intimidation allegations are substantiated, the student(s) accused of intimidation is automatically subject to suspension or expulsion. If intimidation allegations are not substantiated, no disciplinary sanctions will be instituted.

C. PROCEDURES FOR STUDENT CONDUCT POLICY VIOLATIONS

1. Any member of the Drew community may allege that a student has violated University policy. Except in cases of sexual assault/misconduct and sexual harassment, the University also may choose to file allegations on behalf of another person or on its own behalf. (See the Sexual Harassment Policy for further clarification.) All allegations of violations must be submitted to the Associate Dean of Campus Life and Student Affairs. Formal allegations must be made in writing, such as a letter, email or incident report. The incident report form is available on the Residence Life Web site depts.drew.edu/reslife/incident.htm

2. Under normal circumstances, the Associate Dean of Campus Life and Student Affairs shall be the primary discipline administrator. The Associate Dean will

determine the appropriate follow-up based upon factors such as the nature and seriousness of the offense, whether or not it is a repeat violation, etc. In cases where the Associate Dean or designee is unable to schedule a meeting (due to a conflict of interest or other reason), the Dean of Campus Life and Student Affairs shall assume those duties.

4. A student accused of a violation will be contacted by the Associate Dean of Campus Life and Student Affairs (or designated administrator) to discuss the allegations. Lesser offenses (those which do not warrant removal from the residence halls or suspension/expulsion from the University) will be resolved in an administrative meeting.

a. Administrative Meeting. Depending on the seriousness of the offense, an administrative meeting occurs with a staff member such as an RD, the Director of Residence Life, or the Associate Dean of Campus Life and Student Affairs. The goal of an administrative meeting is to arrive at a finding of “responsible” or “not responsible,” and to assign sanctions if necessary.

Major and/or repeat offenses (those which potentially could result in removal from the residence halls or suspension/expulsion from the University) may be resolved in an administrative meeting with the Associate Dean of Campus Life and Student Affairs or in a formal Student Conduct Board hearing.

b. Student Conduct Board Hearing. The goal of a formal Student Conduct Board hearing is to determine responsibility and impose appropriate sanctions in a timely and fair manner.

5. A student charged with a serious University offense may withdraw from the University in writing, effective immediately upon receipt by the Associate Dean of Campus Life and Student Affairs, thereby forfeiting all tuition, fees, and any opportunity to enroll at a future date to the University. This option may be exercised only *before* an administrative meeting or Student Conduct Board hearing takes place.

6. If there is more than one allegation and the student accepts “responsibility” to one allegation but not to the other, the administrator shall determine if the case needs to be referred to the Student Conduct Board, which will follow the procedures set forth in sections E/F below.

7. Failure to Respond. Should a student fail to schedule and attend an administrative or Student Conduct Board meeting in the time designated by the Associate Dean (or designee), the student’s case will be decided in his/her absence.

D. PROCEDURES FOR AN ADMINISTRATIVE MEETING

Students charged with a violation of the Student Conduct Policy or other University policy who are directed to meet with a discipline administrator will receive oral or written notice of the alleged violations prior to a meeting.

The discipline administrator will meet with the student(s) to:

1. Discuss the complaint and alleged conduct.

2. Allow the student to review the complaint and present his/her understanding of the events related to the incident(s).

3. Determine an appropriate finding:

a. That it is more likely than not that the alleged misconduct *did not* occur and the respondent is not responsible for violating the University Student Conduct Policy, or

b. It is more likely than not that the alleged misconduct *did* occur and that the respondent is responsible for violating the University Student Conduct Policy, thus necessitating the imposition of sanctions as appropriate.

4. After a decision has been rendered, the respondent will receive an email or letter summarizing the outcome and sanctions as discussed in the administrative meeting. If a sanction has been imposed, it is the responsibility of the student to ensure that the Associate Dean of Campus Life and Student Affairs, or the designated administrator, is notified of the completion of the sanction. Failure to complete a sanction may result in the assessment of additional sanctions.

E. PROCEDURES FOR A STUDENT CONDUCT BOARD HEARING

1. A Student Conduct Board hearing committee can be convened by the Associate Dean of Student Affairs (or designee). In situations where the Associate Dean/designee is unable to convene a committee due to a conflict of interest, or any other reason, the Dean of Campus Life and Student Affairs shall assume those duties. In special circumstances, the University President may designate a convener.

2. A Student Conduct Board hearing committee is comprised of three students from the Student Conduct Board and two faculty member selected according to faculty regulations. At the request of either the complainant or the accused, up to two board members may be replaced due to conflict of interest. The convener will attempt to rotate the members who serve in hearings in such fashion as to give all members an equal opportunity to participate.

If a student poses an immediate danger or threat to the health, safety, or well-being of the University community, the Dean of Campus Life and Student Affairs or designee may impose a suspension or other separation from the University with no prior notice, effective until the University’s due process is concluded.

3. It is the convener’s duty to make all parties aware of how the proceedings will be conducted. The hearing committee has the following obligations to parties involved in the hearing:

a. To provide

i. A statement of the allegations

ii. Disclosure of the results of an investigation, if any

iii. A summary of the procedures to be followed

iv. A statement that the choice of hearing officer or convener may be challenged in writing to the Dean of

Campus Life and Student Affairs within 48 hours of notification

b. To conduct the process in a timely fashion. (In cases where incidents occur near the end of a semester, the case may need to be adjudicated at the beginning of the next semester)

c. To notify the accused student in writing of the reasons for the proposed disciplinary action and to allow sufficient time to prepare

d. To permit the student to be advised by someone of his/her choice from within the University community, such as the SGA Attorney General

e. To allow the accused student to consult with an adviser during the hearing (the adviser will not take part in the proceedings)

f. To permit the accused to speak on his/her own behalf and present evidence and witnesses.

The accused may decline to answer questions

g. To advise the accused student of all available evidence and testimony with opportunity for rebuttal

h. To permit all accused parties to be present throughout the hearing with the opportunity to question witnesses

i. To present all relevant evidence as determined by the Associate Dean of Student Affairs (or designee)

j. To render a decision based solely upon the preponderance of evidence and, where applicable, determine the appropriate sanction(s), and give written notification of that decision to the accused, the Associate Dean of Campus Life and Student Affairs, and relevant University officials.

k. To provide a tape recording of the proceedings to be kept by the Office of the Associate Dean of Campus Life and Student Affairs, use of which will normally be limited to an appeal, and destroyed after the appeal time has passed

l. In certain cases deemed appropriate by the proper authorities, information on an offense may be disclosed to individuals or to the entire University community

m. If an accused student, with notice, does not attend the proceeding, the information in support of the charges shall be presented and considered even though the accused student is not present

n. The convener may accommodate concerns for personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or permitting participation by telephone, videophone, video conferencing, videotape, audio tape, written statement, or other means as determined in the sole judgment of the convener to be appropriate.

F. APPEALS

1. The right of the accused student to an appeal of a decision (whether by an administrator or the Student Conduct Board) is guaranteed.

Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the hearing and supporting documents. Appeals may be granted for the following reasons only:

a. Relevant new evidence or information is available because such information and/or facts were not known to the person appealing at the time of the original hearing

b. A procedural error was made that precluded a fair and impartial hearing. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results

2. Decisions following an administrative hearing or Student Conduct Board hearing must be appealed within two (2) business days of notification.

Appeals will be heard by the Dean of Campus Life and Student Affairs (or designee).

G. SANCTIONS

The University maintains the right to impose sanctions upon students found responsible for violating the Student Conduct Policy or other University policy to protect the University community.

The primary purpose of these sanctions is educational and rehabilitative. The reasons for the imposition of sanctions will be stated in the student's file and will become a part of the student's record. Sanctions may also be issued in abeyance, meaning that any further violation will result in the implementation of the sanction in abeyance. Prior incidents and sanctions will be disclosed to the Student Conduct Board by the convener after the board has come to a finding or responsible and may be considered.

Sanctions will increase if a student is already on probation.

1. Revocation of Admission and/or Degree

Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

2. Withholding Degree: The University may withhold the awarding of a degree otherwise earned until the completion of the process set forth in the Student Conduct Policy, including the completion of all sanctions imposed, if any.

3. Expulsion: Unconditional separation from the University. The expelled student shall be barred from the University campus and all University sponsored activities.

4. Expulsion from the Residence Halls: Permanent separation of the student from residing in or visiting the residence halls.

5. Suspension from the University: The student is separated from the University for a specified period of time with the privilege of applying for re-entry after the period of suspension. In making a determination on the re-entry application, the University will evaluate the documented (as appropriate) progress the student has made and/or any positive indication that the student is ready for re-entry. The student will be barred from campus

during their time of suspension, and will be treated as a trespasser if found on campus during their period of separation.

6. Suspension from the Residence Halls: The student is required to move out of the residence halls for a specified period of time. Re-entry as a residential student must be evaluated. In making a determination on re-entry as a residential student, the University will evaluate the documented (as appropriate) progress the student has made and/or any positive indication that the student is ready to return to the residence halls. The student will be barred from being in or around campus housing during their time of suspension, and will be treated as a trespasser if found in or around campus housing during their period of separation.

7. Restriction: The student is restricted from participating in certain University events and activities or from remaining a resident on campus.

The imposition of this sanction should not ordinarily have the effect of harming other students or disrupting planned activities. Restriction is imposed for a specified period of time.

8. Disciplinary Probation: The student is placed under a status whereby any further violation of University regulations is considered in the context of the original violation and with prejudice. The period of probation lasts for a specified period of time. Probationary status may impact a student's ability to study abroad and/or to hold leadership positions in student organizations.

9. Relocation: Assignment to another residence hall or floor.

10. Warning: Written or verbal caution to the student that any repetition of the behavior will result in more severe disciplinary action, including removal from the residence halls.

11. Restitution: When property is involved, fines may be levied and/or replacement costs assessed. The imposition of this sanction does not preclude the use of other sanctions.

12. Disclosure: In certain cases deemed appropriate by the proper authorities, information on an offense may be disclosed to individuals or the entire University community.

13. Discretionary Sanctions: Educational assignments, essays, service to the community with a specified length of time, or other related discretionary assignments.

14. Written Reprimand: A written communication to the student concerning the infraction that is placed in the student's file and may be considered should any future violation of regulations occur. The copy will be removed from the student's file upon petition of the student after a specific period of time.

Nothing in this code restricts the right of the President or official designee to suspend a student immediately if, upon investigation, the President finds the continued presence of the student to be a threat to the health, safety, or well-being of the University community or any member of the University community, including the student. The

procedures for such action are described in Article V, Section B of the University's "Statement on Rights and Responsibilities of Students" found in this Appendix.

10. ALCOHOL POLICY

MISSION

I. PURPOSE

The purpose of the Drew University Alcohol Policy is to promote student responsibility, respect for the community and self, and to establish a University community that is safe, healthy, and conducive to serious academic endeavors. To this end, the Alcohol Policy, which is based on federal, state, and local laws, sets guidelines and defines community standards.

Within these parameters, students must define their own values and make their own choices regarding alcohol use. However, the University expects all its members to comply with both the Drew University Policy and federal, state, and local laws as they apply to alcohol possession and use. The University holds students accountable for the decisions they make, particularly when they have an adverse effect on the health and safety of the community, on the quality of life of other students, on the learning environment, or on the students themselves. To support student responsibility, the University offers a wide range of educational and counseling services that provide accurate alcohol-related information and evaluation. In addition to the formal services, students can gain support from faculty, staff, and other members of the community. When students fail to meet expectations set forth regarding alcohol use, the policy provides a range of sanctions depending on past behavior and the seriousness of the offense.

II. SANCTIONING

The goal of this policy, and of the sanctions imposed under it, is to educate students about, and to encourage, safe drinking practices. The policy seeks to establish clear community standards around alcohol. While the policy defines guidelines for the consequences of various behaviors, the context of those behaviors will be considered when policy violations are adjudicated. Therefore, the most severe consequences will result from situations in which high-risk drinking occurs. Students who are charged with repeat offenses may face a higher level of sanction.

Entering a university setting for many necessitates a new level of independence. Students are able to make their own decisions and must be able to deal with the consequences of those decisions. Keeping this in mind, the University encourages students to be responsible for their actions and will utilize parental notification as a partnership. This notification will be enacted when there is noncompliance, disregard of the policy and guidelines, or charge of a higher level of sanctioning. Students' misuse of alcohol may result in violations of other community standards beyond those established by the Alcohol Policy. When an alcohol violation occurs

in conjunction with the violation of another University policy, such as the Drug Policy, the Human Rights Policy, or the Sexual Harassment Policy, a higher level of sanction may be imposed. Failure to comply with the directive of a University official, including Residence Life Staff, Public Safety officers, and Student Affairs staff, when combined with an alcohol violation, may also raise the level of sanction.

In the event of an alcohol related emergency or concern students should contact Public Safety from any campus phone at X4444, or any cell phone at 973-408-4444.

IV. EMERGENCY PROCEDURE

Drew University recognizes that an emergency situation involving drugs and alcohol may arise. In order to be pro-active in response to a situation, if a student is transported by emergency response team and alcohol and/or drugs is involved, the following procedure is implemented:

1. Public Safety will respond to the initial call.
2. Public Safety will contact the Madison EMT Squad.
3. Public Safety will inform the Health Service of the transport and file a report with the Associate Dean of Campus Life and Student Affairs.
4. The Office of the Associate Dean of Campus Life and Student Affairs will contact the Coordinator of Substance Awareness and Educational Programs.
5. The Coordinator will reach out to the student within 24 hours to complete an assessment session.

V. USE OF ALCOHOLIC BEVERAGES IN THE RESIDENCE HALLS

A. Alcohol possession in residence halls is permitted only for students of legal age (21). Alcohol may be consumed only by legal-age students in students' rooms, or in common areas during a University sponsored event. Consumption in student rooms should not infringe on the rights of other students to study or negate any normal student activity. Students of legal age may not give or sell alcohol to minors to transport, possess, or consume. Minors may not transport, possess, consume, or purchase alcohol in any area of the residence halls. Full responsibility for compliance with New Jersey State laws belongs to all students. Student rooms will not be entered unless there is cause, see "Regulations for Search and Routine Room Inspection," policy **13** in the Appendix.

B. Alcoholic beverages may not be sold at any time in residence halls.

C. Persons may not transport open containers of alcoholic beverages, nor may they consume alcoholic beverages, in hallways, foyers, stairwells, bathrooms, or other public areas, including outdoor University grounds,

without an event liquor license.

D. An individual suite will be considered a regular student room, and the rules set forth above will apply.

E. Because of the many different types of housing accommodations provided by the University, Drew identifies the following areas as public:

- General hallways leading to individual rooms, suites, or quads; propped room doors
- Lounges that adjoin complexes or are not directly connected to a student room with access doors either opened or closed
- General floor restrooms
- The area outside a Townhouse
- Outside on University grounds

III. "GOOD SAMARITAN" EXCEPTION

To safeguard students so they receive the help they need without fear of penalty or retribution, the "Good Samaritan Clause" has been adopted.

This clause may be invoked by the person in need of assistance and by those who provided that person with alcohol. If a student or organization helps an intoxicated student to get assistance from Residence Life staff, Public Safety officers, medical professionals, and/or local or state police, both the intoxicated student and the individual(s) assisting may not be subject to formal University disciplinary action for 1) being intoxicated or 2) having provided alcohol.

This policy refers to isolated incidents only and does not excuse or protect those who flagrantly or repeatedly violate the Alcohol Policy.

VI. VIOLATIONS AND ENFORCEMENT OF ALCOHOL POLICIES

In addition to criminal sanctions and civil liability under State law, violations of this policy will subject a student to University non-academic conduct procedures. These procedures allow for a hearing. The University sets expectations in compliance with federal, state, and local laws in order to maintain a productive living/learning environment; use may not negatively impact community life.

Level 1 Alcohol Offense

- Underage drinking/possession of full or empty alcohol container
- Noise violation with alcohol consumption
- Open container in any public area of the University

Level 1 Adjudication—Potential sanctions

- Attend alcohol education class
 - Educational activity or service to the Drew community
 - Container may be confiscated, and minors will have to pour out the remaining alcohol from the containers
 - Official warning or written reprimand
 - Social probation, up to four academic months
- At times alcohol consumption may result in increased

problematic behavior which has an impact on self or others. The goal in Level 2 is to identify problematic issues and work in coordination with students to reduce this possibility.

Level 2 Alcohol Offense

- More than one Level 1 offense simultaneously
- Vandalism/property damage caused while under the influence
- Failure to be respectful to University official
- Providing alcohol to those under the legal age (21)

Level 2 Adjudication—Potential sanctions

- Attend alcohol education class or alcohol and other drug assessment
- Educational activity or service to the Drew community
- Container may be confiscated, and minors will have to pour out the remaining alcohol from the container
- Fine (up to \$50)
- Social probation, up to six academic months

According to the Social Host Law of New Jersey, a host accepts a level of responsibility for guest behavior, the amount of alcohol consumed, and any injury that occurs due to drinking. In order to reduce the risk of incidence, common sources, high-proof alcohols, and progressive parties are specifically identified. Those stated either encourage excessive drinking, or make it difficult for the host to monitor the amounts of alcohol consumed.

Level 3 Alcohol Offense

- Common source (i.e., keg, beer ball, punch bowl)
- Repeat of any Level 1 or 2 offenses while on probation
- Serving as the host of progressive parties
- Consuming/hosting/providing grain alcohol or other spirit with more than 100 proof
- Selling alcohol to another (i.e. charging entrance to a party, paying for cards or items as part of the function, etc.)

Level 3 Adjudication—Potential sanctions

- Alcohol and other drug assessment
- Mandatory TIPS training if found responsible for hosting*
- Container may be confiscated, and minors will have to pour out the remaining alcohol from the containers
- If found responsible, parental/guardian notification via copy of sanctioning letter.
- Housing relocation (at discretion)
- Housing suspension (in abeyance)
- Fine
- For common source, \$250 per student
- In general, up to \$250
- Social probation, up to nine academic months

***Host addendum:** *The University will sanction those involved with hosting a function and providing alcohol differently from an individual attending the function. The goal is to increase education and awareness of the responsibilities that go along with hosting. A person found responsible for hosting will be placed on "host" probation for up to one academic semester. Students*

that are documented for and found responsible for hosting a party will have the amount of alcohol confiscated considered during adjudication.

At this level a student may be experiencing issues aside from alcohol consumption. The goal is to assist the whole person to become a more positive member of the University community.

Level 4 Offense

Multiple infractions alone or coupled with other policy violations (hazing, disorderly conduct, sexual assault, human rights., etc.)

Level 4 Adjudication—Potential sanctions

- Alcohol and other drug assessment, location to be determined by Substance Awareness and Educational Programs Coordinator
- If found responsible, parental/guardian notification via copy of sanctioning letter
- Housing relocation/suspension
- Fine (minimum, \$350)
- Social/Host probation up to one academic year
- Suspension/Expulsion

VII. USE OF ALCOHOLIC BEVERAGES BY STUDENTS

A. UC Pub: Alcoholic beverages may be purchased, served, and consumed in the University Center Pub, which is licensed by the State of New Jersey and operates under policies compliant with New Jersey law.

B. Public areas: All other campus areas are considered public and alcoholic beverages may not be present except under special conditions.

C. Guest behavior: Drew students are held responsible for the behavior of their guests, as defined in *Daniel's Dictionary*, "Residence Life Rules and Regulations," Guests/Visitors.

D. One-day liquor license: Student groups selling alcoholic beverages at, charging admission to, or collecting money for an event where alcohol is served must obtain a one-day liquor license issued by the New Jersey Alcoholic Beverage Commission. It is the organization's responsibility for every aspect of such an event. The following procedures must be followed to obtain a one-day alcohol permit:

1. Pick up form at town hall in Madison. The form indicates procedures to be followed.

2. Form must be signed by both the Associate Dean of Campus Life and Student Affairs and the Director of Public Safety.

3. Form must be mailed at least three weeks in advance (or hand carried) to Trenton. If form is incomplete it will be rejected.

4. Form must be accompanied by a diagram of the physical space where the event will be held (including fencing, roping off of an alcohol-free area, etc.) and a letter from the Associate Dean of Campus Life and Student Affairs indicating

he/she is aware of both the event and the sponsoring organization.

E. Bulk quantities: Alcohol in bulk quantities (such as kegs or beer balls) is permitted on campus only at events for which a liquor license has been obtained from the New Jersey Alcoholic Beverage Commission.

F. Non-carbonated, non-alcoholic beverages:

Such beverages must be available and accessible at any event where alcoholic beverages are served.

G. Food: At all events where alcoholic beverages are served, food must also be served.

H. Delivery: Retail delivery of alcoholic beverages is prohibited.

I. Funding for alcoholic beverages: CLA student activities funds may not be used for the purchase of alcoholic beverages.

The Drew University Alcohol Policy was created as a result of the University's concern for the education and development of the whole person. The policy provides parameters to keep students safe and is in accord with New Jersey laws regarding alcoholic beverages. According to New Jersey State law, it is illegal for anyone under the age of 21 to:

1. Purchase, possess, consume, manufacture, or distribute alcoholic beverages
2. Enter places licensed to sell alcoholic beverages with the intent to purchase, have served or delivered to them, alcoholic beverages
3. Misrepresent his/her age or the age of anyone else for the purpose of purchasing alcohol or gaining entrance to a place that sells or serves alcohol

It is also illegal for anyone to purchase, manufacture, or distribute alcohol to a person who is under 21 years of age. In addition to criminal sanctions for violations of State law, there is potential civil liability for serving minors or serving a person who is already intoxicated.

Signs and Symptoms of Problematic Drinking

- Increase in alcohol tolerance
- Urgency to have the first drink
- Drinking because you are angry, upset, or stressed
- Your personality is altered when drinking
- Drinking the night before has caused you to miss or to be late for class
- You sometimes have a drink to help you sleep
- When you drink, you wind up drunk
- You promise yourself you will cut down or stop, but that only lasts a short time, if at all
- Someone has expressed concern over your drinking
- It is difficult to stop after one or two drinks
- The day after drinking you have trouble remembering parts of the night (blackouts)
- You regret things you have said or done while drinking
- Even after others have stopped, you want to continue drinking

- You get irritated when anyone talks about your drinking
- At times, grades have suffered because of drinking
- A significant part of the day is spent getting, using, or recovering from the effects of alcohol

ALCOHOL COUNSELOR

In view of the University's commitment to educate and support the growth and development of the whole person, a full-time NJ Licensed Clinical Alcohol and Drug Counselor is available to anyone in the campus community during the academic year. If you or someone you know may have a problem with alcohol and/or drugs, the counselor provides assessment, education, and individual and group counseling. Referrals off-campus and to local support groups are also available. Call x3318 for assistance.

- You have been arrested for DWI or other behavior while under the influence
 - You have become violent while drinking
 - You have anxiety, shaking hands, hallucinations the day after drinking
 - You have switched from one type of alcohol to another to control your "drunk"
 - You have neglected classes or responsibilities two or more days in a row because of drinking
- If you can relate to three or more of the above criteria, you may have a drinking problem.

11. DRUG POLICY

I. VISION

Drew University has an obligation to the students and the entire University community to address and diminish the misuse, abuse, and negative behavior resulting from legal and illegal drug use. Therefore, the University will consistently enforce the Drug Policy as well as comply with local, federal, and state laws pertaining to drug possession/ consumption, distribution, or sale/ manufacture.

II. MISSION

Drew University is committed to maintaining a safe and healthy environment for the students, staff, faculty, administration, and guests. This Drug Policy is intended to accomplish the following goals:

- To promote a healthy and safe campus community
- To demonstrate the commitment of Drew to provide education and prevention services, referral services, support services, and treatment
- To define expectations of student behavior in regard to illicit drug use
- To identify appropriate disciplinary procedures for those students who engage in illegal drug-related activity

In view of the University's commitment to educate and support the growth and development of the whole

person, a full-time NJ Licensed Clinical Alcohol and Drug Counselor is available to anyone in the campus community during the academic year. If you or someone you know may have a problem with alcohol and/or drugs, the counselor provides assessment, education, and individual and group counseling. Referrals off-campus and to local support groups are also available.

Call x3318 for assistance.

In the event of emergency or concern, The Department of Public Safety is located in Pepin Services Center and provides 24-hour help and protection. This service is available seven days a week on a year-round basis. On campus dial x4444.

III. POLICY

The policy makes clear that students found using or possessing illegal drugs will be disciplined up to and including expulsion from Drew without refund of tuition and fees. Students who supply or sell drugs face immediate expulsion and criminal prosecution.

This policy also encompasses the abuse, misuse, or sale of any prescribed medications; under this policy such actions will be treated as possession/consumption, distribution, or sale. If you are living with a person or persons that use or sell drugs, you will be held responsible; University sanctioning, state, or federal laws may apply.

Sanctions: The following are minimum sanctions as part of the Drew University policy addressing the possession/consumption, distribution, or sale/manufacture of any controlled dangerous substances and/or paraphernalia. (See *Daniel's Dictionary*, Appendix 9,II,F, "Procedures for Non-Academic Violations," for a full definition and description of disciplinary sanctions.)

For students already on probation, sanctions will increase. These sanctions are in addition to any legal allegations incurred in accordance with state, federal, or local law.

That is, a student found responsible for a drug violation can be sanctioned by the University and also charged on a state, federal, or local level.

If an incident is brought to the attention of the University by an outside party or victim, students will be held accountable by the University. It is not "double jeopardy" for both the civil authorities and the University to proceed against, and sanction, a person for the same specified conduct.

Possession/Consumption of Controlled Dangerous Substances

(Definition: Controlled substances include all illegal drugs and misused legal drugs, both over-the-counter and prescription. Possession means that such substances are on one's person, or in one's room, living environment, or automobile. Consumption refers to active use or being under the influence.

1st Offense

- One year probation
- Housing suspension in abeyance. Commuter students five (5) week residence hall separation
- Required education project to benefit the Drew community and the individual
- Required substance abuse assessment and compliance with recommendations
- Parental/guardian notification at the discretion of the Associate Dean of Campus Life and Student Affairs, or designee, for those under 21
- No board positions in co-curricular activities for the duration of probation

2nd Offense

All offenses beyond a first will be considered with prejudice.

- Probation effective for the remainder of time enrolled at Drew
- Suspension from residence halls for duration of the semester
- Required substance abuse assessment and compliance with recommendations
- Community service that is related to the sanction and that is to be completed on campus within a specified time. Off-campus service is an option if approved by the Coordinator of Substance Awareness and Educational Programs; the Coordinator will also verify hours served
- Mandatory parental/guardian notification by the Associate Dean of Campus Life and Student Affairs, or designee
- No board positions in co-curricular activities for the duration of probation

3rd Offense

All offenses beyond a first will be considered with prejudice.

- Expulsion from the University

Distribution of Controlled Dangerous Substances

(Definition: Providing a person with a drug, legal or illegal, and not accepting or intending to accept money or barter).

1st Offense

- Suspension from the University

2nd Offense

All offenses beyond a first will be considered with prejudice.

- Expulsion from the University

Selling/Manufacturing of Controlled Dangerous Substances

(Definition: Selling of any illegal substances or legal prescription or over-the-counter drugs for money or barter. Manufacturing means purchasing or possessing the materials necessary to make or synthesize certain illegal drugs for personal use, distribution, or sale).

1st Offense

- Expulsion from the University

IV. PROCEDURE

Everyone is asked to assist in keeping the campus a safe place by being alert to suspicious situations and reporting them promptly. If you are a victim or a witness to any on-campus offense, promptly notify the RD on duty or Public Safety at x4444.

Provide the following information

- Nature of the incident
- Location of the incident
- Description of the people involved
- Description of the property involved

If activity or paraphernalia related to illegal possession/consumption, distribution, or sale/manufacture is detected:

- Public Safety will immediately contact the Dean or Associate Dean of Campus Life and Student Affairs and/or the Director of Public Safety.

- The Dean of Campus Life and Student Affairs will contact the Associate Dean of Campus Life and Student Affairs and the Director of Public Safety.

If it is deemed necessary by Public Safety and/or the Residence Life staff involved, a search may be requested and approved by the Dean or Associate Dean of Campus Life and Student Affairs as defined in the Appendix to *Daniel's Dictionary*, "Regulations for Search and Routine Room Inspection").

A report is filed by Public Safety. Residence Life staff may also file a report.

A. The report is sent to the Associate Dean of Campus Life and Student Affairs.

B. A meeting request will immediately be sent by the Associate Dean of Campus Life and Student Affairs to those parties involved.

C. If necessary, a student may withdraw from the University prior to the meeting with the Associate Dean of Campus Life and Student Affairs (see *Daniel's Dictionary*, Appendix 9, C, 4)

D. A meeting with documented party/parties will be held with the Associate Dean of Campus Life and Student Affairs.

E. The Associate Dean may accept the accused student's plea of responsible or not responsible. A student plea of not responsible will be handled as defined in *Daniel's Dictionary*, Appendix 9,II,C "Procedures for Non-Academic Violations," 2 (a) and 2 (b).

F. A student plea of responsible or a Student Conduct Board finding of responsible will result in the imposition of the sanctions stipulated above.

V. CONTROLLED DANGEROUS SUBSTANCES

Being aware of state and federal laws regarding controlled substance use and possession is very important. The consequences of drug possession, use, and distribution vary depending on the type of drug. Federal law prohibits the possession, use, or distribution of illicit drugs. Strict penalties are provided for drug convictions, including mandatory prison terms

for many offenses. The following information, although not complete, provides an overview of federal penalties.

1. Denial of Federal Benefits (21USC 862)

A federal drug conviction may result in the loss of federal benefits including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in the denial of federal benefits for up to five years for a first conviction, 10 years for a second conviction, and a permanent denial of benefits for a third conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

2. Federal Drug Trafficking Penalties (21USC 841)

Penalties for federal drug trafficking convictions vary according to the quantity of the substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled dangerous substance that has been illegally distributed, the person convicted on federal drug charges of distributing the substances faces a mandatory life sentence and fines ranging up to \$8 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a school (21USC 845a) face penalties of prison terms and fines that are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

3. State of New Jersey Laws

The New Jersey Comprehensive Drug Reform Act (N.J.S. 2C: 35-1 *et seq*) created new offenses, increased penalties for some existing offenses to "ensure the imposition of stern, consistent punishment for all drug offenders," and transferred all drug offenses into the Code of Criminal Justice.

Drug-Free School Zone (NJ Statute 2C:35-1.1)

Drew University is within 1,000 feet of an elementary school and a nursery school and, therefore, is within a drug-free school zone as defined by New Jersey law. This means that any person who distributes, dispenses, or possesses with intent to distribute a controlled dangerous substance anywhere at Drew is subject to arrest, time in jail, and a fine up to \$150,000 depending upon the amount of substance possessed. During part of this term of imprisonment there is no eligibility for parole.

Potential penalties for a conviction

Simple possession, use, or being under the influence of:

- **Marijuana:** 0-18 months in jail; a fine of \$500 to \$15,000; and a mandatory loss of driver's

license for 6 months to 2 years.

- **Cocaine/Crack:** 3-5 years in jail; a fine of \$1,000 to \$25,000; and a mandatory loss of driver's license for 6 months to 2 years.
- **Amphetamine ("Speed"):** 3-5 years in jail, a fine of \$1,000 to \$25,000; and a mandatory loss of driver's license for 6 months to 2 years.
- **Psilocybin ("Shrooms") and LSD:** 3-5 years in jail; a fine of \$1,000 to \$25,000; and a mandatory loss of driver's license for 6 months to 2 years.

Possession of

- **MDMA/Ecstasy:** .50 oz. or less: maximum fine \$100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; and a mandatory loss of driver's license for 6 months to 2 years.
- **MDMA/Ecstasy:** .50 oz. to 5.0 oz.: maximum fine \$150,000; maximum prison sentence of 10 years in jail, 5 years without parole; and a mandatory loss of driver's license for 6 months to 2 years.
- **MDMA/Ecstasy:** 5.0 oz. or more: maximum fine \$250,000; maximum prison sentence of 20 years in jail, 10 years without parole; and a mandatory loss of driver's license for 6 months to 2 years.

Use or possession with the intent to distribute

- **Marijuana:** 0-10 years in jail; a fine of \$750 to \$100,000; and a mandatory loss of driver's license for 6 months to 2 years.
- **Cocaine:** 3-20 years in jail (with a 3-5 year mandatory sentence with no parole if the amount exceeds 5oz.); a fine of \$1,000 to \$300,000; and a mandatory loss of driver's license for 6 months to 2 years.
- **Amphetamine ("Speed"):** 3-10 years in jail; a fine of \$1,000 to \$100,000; and a mandatory loss of driver's license for 6 months to 2 years.
- **Psilocybin ("Shrooms") and LSD:** 3-5 years in jail; a fine of \$2,000 to \$300,000; and a mandatory loss of driver's license from 6 months to 2 years.

Possession or distribution

- **Ketamine:** maximum fine \$100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; mandatory loss of driver's license for 6 months to 2 years.
- **Rohypnol (Flunitrazepam):** maximum fine \$100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; mandatory loss of driver's license for 6 months to 2 years.
- **GHB (Gamma Hydroxybutrate) and GBL (Gamma Butyrolactone):** maximum fine \$100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; revocation of driver's license for a maximum of 6 months; mandatory loss of driver's license for 6 months

to 2 years.

In addition to the foregoing fines, every defendant who is convicted of any drug offense or who goes into a drug diversionary program must pay a mandatory penalty ranging from \$500 to \$3,000 and a mandatory \$50 laboratory fee. The Act provides that any person, 18 years or older, who uses, solicits, or directs a juvenile (17 years or younger) to manufacture or distribute drugs is guilty of a second degree crime and is subject to imprisonment for 5-10 years and a fine up to \$300,000.

In view of the University's commitment to educate and support the growth and development of the whole person, a full-time NJ Licensed Clinical Alcohol and Drug Counselor is available to anyone in the campus community during the academic year. If you or someone you know may have a problem with alcohol and/or drugs, the counselor provides assessment, education, and individual and group counseling. Referrals off-campus and to local support groups are also available. Call x3318 for assistance.

Use or possession of drug paraphernalia

- Up to 6 months in jail; mandatory fine of \$500 to \$1,000; and a mandatory loss of license for 6 months to 2 years.

- It is unlawful for any person to deliver drug paraphernalia to a person under 18 years of age.

Signs and Symptoms of Problematic Drug Use

- Loss of appetite, increase in appetite, changes in eating habits, unexplained weight loss or gain
- Slowed or staggering walk; poor physical coordination
- Red, watery eyes; pupils larger or smaller than usual; blank stare
- Puffy face, blushing, or paleness
- Smell of substance on breath, body, or clothes
- Extreme hyperactivity; excessive talkativeness
- Runny nose, hacking cough
- Excessive sweating
- Tremors or shakes of hands, feet, or head
- Change in overall attitude/personality
- Change in activities or hobbies
- Drop in grades, skipping class
- Difficulty paying attention; forgetfulness
- General lack of motivation, energy, self-esteem; "I don't care" attitude
- Moodiness, irritability, or nervousness
- Paranoia
- Secretive or suspicious behavior
- Change in personal grooming habits
- Change in peer group or isolation from others

12. SEXUAL HARASSMENT POLICY

Dean Wendy Kolmar, Co-Chair, Sexual Harassment Committee, Brothers College 104, x3944

Sexual harassment, which has been considered tantamount to sexual discrimination under state and federal law, undermines the educational and employment environment of the University. The purpose of this policy is to guarantee

all students equal educational access (and all employees equal employment opportunity) in an environment free from sexual harassment of all kinds. This policy seeks to protect the atmosphere of trust and collegiality in the University community, to educate the community about sexual harassment, and to provide students, faculty, and staff who believe that they have been sexually harassed with a reliable and effective process for seeking a remedy, while affording those accused of a violation a fair opportunity to be heard.

DEFINITION

Sexual harassment is physical or verbal conduct of a sexual nature which has the intent or effect of creating an intimidating or hostile educational or employment environment. Sexual harassment includes a range of behaviors specified below. Common to all of these is that non-compliance or objection by the person(s) being harassed carries with it an implied threat to an individual's employment or academic status or access and/or compliance carries an implicit or explicit offer of advantage or preference.

1. Overt Sexual Advances

Demands for sexual favors; pressure for sexual activity; physical molestation; sexual assault; coerced sexual intercourse, or attempted rape.

2. Other Verbal and Physical Conduct

Behaviors in these categories are most often sexual harassment when they are frequent and repeated or when they continue after someone has asked that they stop.

A. Harassment of an Individual

Pinching and other inappropriate touching; rubbing and brushing against the body; remarks about an individual's body, sexuality or sexual preference; sexist remarks, or humor directed at an individual.

B. Harassment of a Group

Sexist humor or jokes; use of derogatory, denigrating, or belittling terms or stereotypic generalizations of a sexual nature; repeated differential treatment based on gender or sexual preference.

CONFIDENTIALITY

All proceedings, documents, activities, and meetings related to a specific case before the Sexual Harassment Committee are confidential. Disclosure of any information related to a case by the complainant, person complained against, a committee member, or a witness in a case will be considered a violation of the Sexual Harassment Policy and will be subject to disciplinary action.

RETALIATION

This policy seeks to encourage students, staff, and faculty

to express freely and responsibly their opinions and feelings about any problem or complaint of sexual harassment. Any act of reprisal, interference, restraint, penalty, discrimination, coercion, or harassment—overtly or covertly—by a University employee or student against a person who uses the policy and procedures responsibly interferes with free expression and openness. This includes both retaliation against a complainant at any point during or after the process and retaliation against a person complained against at any point during or after the process. Accordingly, such acts violate this policy and require appropriate and prompt disciplinary action.

FRIVOLOUS OR MALICIOUS ALLEGATIONS

This policy shall not be used to bring frivolous or malicious allegations against students, faculty, or staff members. Disciplinary action under the appropriate University policy may be taken against any person bringing an allegation of sexual harassment in bad faith.

FREE ACADEMIC INQUIRY

Academic freedom is central to the University's educational mission. Allegations that would undermine free academic inquiry or expression will not be considered under this policy.

The complete text of the Sexual Harassment Policy, including hearing procedures, is available for students at the UC desk and in the Library and online at <http://depts.drew.edu/cladean/SHP.htm>.

13. REGULATIONS FOR SEARCH AND ROUTINE ROOM INSPECTION ENTRY INTO RESIDENCE HALL ROOMS

Students living in the residence halls can expect a level of privacy in their rooms and suites, as well as in the community at large. However, the University reserves the right to enter rooms utilizing a master key for reasons related to safety, security, health, fire-code compliance, facility maintenance, legal, reasonable cause, or discipline. Routine inspection for safety, maintenance, or alteration may occur without notice to room occupants. In such cases, entry shall be preceded by a knock and verbal identification. Entry may be made even if a student is not present. Such entry does not include the authority to search personal belongings in a student's desk, closet, bureau, etc. However, it does provide authority to perform necessary functions such as safety, maintenance, and room inspection. At the time of such entry, any prohibited articles that are in plain sight may be reported to Public Safety (x3379).

SEARCH AND SEIZURE

Except in an extreme emergency (of such a nature as to cause fear for the physical safety of a room occupant) or in instances of plain-view violations or reported/suspected policy violations, the room and personal possessions of a student shall not be searched unless appropriate authorization and permission have been obtained.

The conditions for room search are as follows

Emergencies: The safety and security of students and their guests are top priorities of the University. As such, staff authorized by the University (such as the Associate Dean of Campus Life and Student Affairs or a designated representative) may enter a student's room without permission in response to

- attempted or suspected suicide
- fire
- significant physical injury
- medical emergency
- situations in which there is a potential or actual threat to the security, health, or welfare of the resident(s) of the room, suite, or surrounding community
- suspected policy violations made known to the Department of Public Safety

Plain View Violation/Searches: Items that are prohibited, illegal, or stolen, or materials, substances, or possessions that are in plain view and observed by staff during the normal execution of their duties (within or beyond the confines of a residence hall room) may be confiscated and/or used in a University disciplinary and/or legal proceeding. During such plain-view searches, staff may not open drawers, closets, closed doors, refrigerators, or any sealed area or property owned by a student(s). A student(s) may voluntarily open a closed area or personal belonging for a plain view inspection during the course of a search. Plain-view violations/searches can be conducted in the absence of the resident(s) in accordance with the procedures outlined above. In certain situations, Public Safety may be called upon to assist with confiscation procedures and may act on any violation in plain view, or present via odor.

Voluntary Search: Students have the option to provide written or verbal consent to have their room or personal area(s) searched when there is reasonable cause to believe they are in possession of prohibited illegal or stolen items, materials, substances, or possessions, or are aware of or involved in a violation that is criminal in nature. Such searches shall be conducted by a Public Safety officer. Any evidence seized may be used in a University disciplinary and/or legal proceeding.

Involuntary Search: When there is reasonable cause to believe that a student is in possession of prohibited, illegal, or stolen items, materials, or substances, or has knowledge of or involvement with a violation that is criminal in nature, Public Safety may request authorization for a search of a defined area for a specific reason. Authorization standards are listed below. Public Safety has been given authority to complete a search in instances where a plain view or odor violation has occurred.

AUTHORIZATION

Authorization may come from a court of competent jurisdiction in the form of a search warrant, if there is an alleged violation of the penal laws of this or any other state. The administration shall request such authorities to inform the president (or a designated representative)

of the impending search so that a representative of the University, and when possible, a student government representative (such as the attorney general) may be present at the search to guard against violation of a student's rights.

If there is an alleged violation of University regulations (substantiated by information upon oath or affirmation), authorization may come from the Associate Dean of Campus Life and Student Affairs (or a designated representative) upon a finding that there is probable cause to believe that such regulations have been violated. Such authorization shall be in the form of a written note that includes the following:

- The name of the student whose room is to be searched and his/her campus address
- The specific violations of University regulations alleged
- The specific object of the search

The Associate Dean of Campus Life and Student Affairs (or designated representative), along with a representative of the student government association, may be present at the search. Entry shall be preceded by verbal identification of the searchers and the purpose of the search. A copy of the written authorization for the search shall be furnished to the student. The student may be compensated for any damage to personal property occurring as a result of any University search procedure.

14. POLICY REGARDING USE OF UNIVERSITY FACILITIES AND BUILDINGS

Drew University encourages its students to participate in the discussion of controversial topics and to listen to speakers representing all shades of opinion. It is not obliged, however, to open its facilities on an unrestricted basis to any and all groups of students who wish to utilize them for public meetings; nor is it appropriate for the University to be put into the position of playing official host for any and all visiting speakers invited to the campus by student groups. The necessity for regulation is obvious. The University cannot permit unregulated use of its campus, especially for the holding of meetings that have no part in its regular curricular or extracurricular activities. While University policy permits full freedom of speech on its campus, it cannot permit itself to be used physically as a public forum open at will to random attendance by persons off the campus. Such use would be inconsistent with the academic purposes and traditions of a University and with facilities available on campus.

1. The University Center (UC) is designated as the only facility open to groups of students formed into *ad hoc* organizations for discussion or other purposes and not duly-registered and recognized by the officially designated committee of the school or college concerned.

2. Any *ad hoc* group of students wishing to use University Center facilities for an announced

meeting must register its name and its list of officers with the UC Director prior to making arrangements for any function. Subject to availability, a room assignment will be made for such a meeting only when it has been scheduled at least 72 hours in advance, the participants noted, and the nature of the meeting clearly stated. The same regulations regarding publicity of events apply to *ad hoc* groups as to formally recognized groups.

3. When applying for space for the holding of a meeting, lecture, or discussion involving speakers invited from off campus, such an *ad hoc* organization must present signed authorization from a tenured faculty member indicating that he/she will be in attendance at the meeting and take responsibility for extending proper hospitality to the invited guests.

4. The above regulations are not intended to apply to student organizations already recognized by the schools or colleges of the University and carried on the official lists of those schools or colleges as recognized extra-curricular activities in good standing.

5. Duly recognized organizations may be granted permission to use Great Hall, the Hall of Sciences Auditorium, the Dorothy Young Center for the Arts, or the Baldwin Gym/Simon Forum and Athletic Center only with the approval of the University after proper application for such use has been made. Such application must state the nature and purpose of the occasion, and whether or not the occasion is to be open to persons outside the University community and an invited audience.

6. In no case, either on behalf of an *ad hoc* group or a duly-recognized organization, will any announcement of an occasion be released to the public, to the press, Internet (i.e. Facebook, My Space, listservs, etc), radio, or television except through the established University Communications Office, and after University approval has been obtained.

15. ACADEMIC TECHNOLOGY

POLICY (including Computers, E-mail, Internet, and Telephones)

depts.drew.edu/acadtech/netuser.htm

Use of the University computing systems, including the campus LAN (local area network) is governed by the following policy.

Computing resources are provided for the use of faculty, students, and staff for academic purposes. The privilege of use by a student is not transferable to another student, to an outside individual, or to an outside organization. Misuse of computer facilities is considered a serious offense at Drew and carries sanctions for

anyone found in violation of the University's policy. As a member of the Drew community of campus LAN users, there are rules and policies by which you must abide to keep the network secure and available for all to use and to maintain an atmosphere where all are welcome. Your use of the LAN connects you to the entire Drew community and to the world via the Internet, and therefore reflects on both you and on the institution. Please take these responsibilities seriously.

1. The campus LAN is to be used primarily for purposes of fulfilling the University's academic mission. It is intended to be used as a tool to enhance your education and is not available for unrestricted use for other purposes.

2. The University provides the campus LAN exclusively to you as a registered student. You are not permitted to share your account with anyone else.

3. Protect your account password at all times. You will be held responsible for all activities which occur with your account.

4. The campus LAN is a shared resource. Therefore, network use or applications which inhibit or interfere with the use of the network by others are not permitted. At times, LAN administrators may ask you to restrict your use of the LAN or not to use the LAN because of a temporary condition. You must comply with those requests. Applications which use an unusually high proportion of network bandwidth for extended periods of time, including, but not limited to running servers or network games, are not permitted.

5. There are University standards for network software and hardware that can be used on the campus LAN. Computers, network cards, and network software issued by Drew become the standard. Use of hardware or network software other than the University standard without permission is not permitted. You will be asked to remove applications that interfere with the operation of the LAN.

6. Users of the campus LAN must comply with federal, state, and local laws and ordinances including U.S. copyright law.

7. Network administrators may access any file on the system in order to maintain network operation or security. Contents of personal files may also be accessed by programs designed to do heuristic searches for materials which could interfere with network operation or security. Files may be individually searched for investigative purposes when ordered by a court of competent jurisdiction, or when there is an alleged violation of University regulations and the search is authorized by the Dean of the College or the Associate Dean of Campus Life and Student Affairs or their

designated representatives. Search and notification procedures specified in the Appendix (section 14) will be followed.

8. Campus LAN services and wiring may not be modified, tampered with, or extended. This applies to all network wiring, network jacks, and hardware. If you cause damage by modifying or tampering with network wiring, jacks, or hardware, you will be held financially responsible for such damage and may be subject to disciplinary procedures.

9. Sending harassing or threatening messages, attempting to forge messages, crack passwords, or intercept data, and other malicious uses of the network are strictly forbidden by University computer-usage policies.

10. Support of the campus LAN is provided through University staff, student employees, and outside vendors. We will make every reasonable effort to keep the service operational 24 hours a day and to provide problem resolution within 48 hours