STUDENT HANDBOOK &

CODE OF CONDUCT

LINCOLN UNIVERSITY

www.LincolnU.edu

Division of Student Affairs
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Table of Contents

FOREWARD **5**
LINCOLN UNIVERSITY **5**
MISSION AND VISION STATEMENTS **5**
MISSION **5**
VISION **5**
STUDENT RESOURCES **13**
Division of Student Affairs **13**
Student Rights and Responsibilities **13**
Student Rights **14**
Student Responsibilities **14**
Code of Student Conduct **14**
Administration of Student Conduct **15**
Definitions **17**
Prohibited Conduct **19**
ii. Reporting Hate Crimes or Bias Incidents: **25**
Violations of Law and University Discipline **30**
Code of Student Conduct Procedures **31**
Sexual Harassment Policy & Grievance Procedures **33**
Amnesty for Complainants and Witnesses 37
Complainant and Respondent Rights 38
Notice of Complaint 38
Initial Assessment 39
Violence Risk Assessment 39
Dismissal of Complaints (Mandatory and Discretionary) 40
Right to an Advisor 40
Resolution Processes **41**
Resolution Timeline **42**
The Investigation Process **42**
Sanctions **42**
Appeals **46**
Filing an Appeal 46
Preparing for Your Appeal 46
Standard of Proof: Preponderance of the Information Evidence 47
Appeal Decisions 47

Student Conduct Process…… 47
Title IX Appeal Process 47
Departure from Campus Following Suspension or Dismissal and Request for 49
Reinstatement.....49
Amendment 49
Student Conduct Hearing Panel.....49
Student Conduct Holds.....49
Student Conduct Files and Records 50
Dining Services Policies.....50
Residence Hall Community Standards and Expectations 51

LABORARE ET STUDERE

FOREWARD

This handbook is designed to promote student awareness and appreciation of the various aspects of campus life at Lincoln University. It contains necessary and useful information which will help students understand their privileges, rights, and responsibilities. Knowledge of its contents will facilitate cooperation and constructive relationships among students, faculty, and staff. These relationships enhance student self-esteem, as well as intellectual and moral development.

Established in 1866, Lincoln University has a long tradition of providing a quality education to thousands of students. Over the years, our former students have become successful alumni, leaving their mark on their various careers and civic endeavors. In just a matter of time, you will find yourself among the ranks of distinguished Lincoln University alumni, but not before your years here at the University have further prepared you for your future.

The University is yours, and, as such, it has an obligation to serve you – promoting your worthy interests and purposes in every manner. You, on the other hand, have an obligation to respond positively to its academic and social standards. This handbook presents a comprehensive view of the University community. It is your responsibility to further develop your talents and character in the University's stimulating and culturally diverse environment.

LINCOLN UNIVERSITY
MISSION AND VISION STATEMENTS

MISSION

Lincoln University of Missouri, a historically Black, 1890 land-grant, public, comprehensive institution, provides a diverse population access to excellent educational opportunities through teaching, research, and extension services within a nurturing, student-centered environment.

VISION

Lincoln University will consciously and consistently fulfill the promise of the Soldiers' Dream: education and empowerment for all. All our activities, from an individual's initial contact with the University through graduation, will be aimed at fostering a student-centered campus where positive relationships create lifelong engagement and commitment to our community. Through communication and collaboration across our diverse constituencies, we will build citizens who are competent in the global marketplace while being connected to their local communities.

WE CHERISH OUR TRADITIONS

LINCOLN, O, LINCOLN (Alma Mater)

Lincoln, O. Lincoln
We thy proud children are:
Thou art our guiding star,
Lincoln believe.
Ours are hearts that yearn for thee
No matter where we be;

Thy honors ours shall he,
Thy cause when just shall we
With loyalty defend--
For thee we'd die.
Lincoln, O, Lincoln!
We thy proud children are;

Morning, noon and always, we
Are Lincolnites.
Thy name, O, Lincoln
Shall e'er to us be dear.
Thy mem'ries sacred, near
Hold us to thee.

Our hears, both near and far
Love thee with delight.
No matter where we are;
Whether present, absent, far
Morning, noon, we always are
True LINCOLNITES!

UNIVERSITY OATH

We will never bring disgrace to Lincoln University by any act of cowardice or dishonesty. We will fight for the ideals and sacred things of the University. We will transmit our University to those who come after us, greater, better, and more beautiful than it was transmitted to us.

LINCOLN UNIVERSITY FIGHT SONG

(Sung to the tune of the Washington and Lee Swing)

Verse 1
Oh yes we love the LU Blue and White
The Tiger roar, we all live for and fight!
We'll wear our colors proud and brace and true,
We're Lincolnites, we'll fight! And fight!

Verse 2
So proud of Lincoln University
Proud children are and were and always will be
You guide us on to gain the victory
We love you ole LU

Verse 3
Oh yes we love the LU Blue and White
The Tiger Roar, we all live for and fight!
We'll wear our colors proud and brace and true We're Lincolnites, we'll fight! And fight!

Verse 4
Oh yes we love Lincoln University
We yearn for what she stands and means
No other school, no university
Is like ole LU! FIGHT! FIGHT!

Word adaptation: Mildred Robertson, Richard A. McCall, Sr., Robert Mitchell, Sr.

UNIVERSITY MOTTO
"LABORARE ST STUDERE"
(To labor and study)

UNIVERSITY MASCOT
BLUE TIGER

UNIVERSITY COLORS
NAVY BLUE AND WHITE

CAMPUS CHIMES

The first campus chimes rang out from the original Memorial Hall at 8:00 a.m. and again at 5:00 p.m. until 1972. Currently computerized, the chimes are now housed in Young Hall and sound at the top of the hour between 8:00 a.m. and 5:00 p.m.

FOUNDERS' DAY

Founders' Day is the day set aside to pay tribute to our founders, the soldiers, and officers of the 62nd and 65th United States Colored Infantry Regiments. Founders' Day is traditionally observed on the first Thursday in February.

HOMECOMING

Homecoming is the time that alumni, the Lincoln University family, and friends from near and far return to Lincoln University to celebrate our school pride. Homecoming includes a week's worth of activities, which includes ageless customs such as the Miss and Mister Lincoln University Coronation, parade, and football game. Homecoming weekend is traditionally scheduled in October.

HONORS CONVOCATION

Honors Convocation recognizes student scholars for excellence during their academic career. Honors Convocation is traditionally held in April.

SPRING FEST

SpringFest is a celebration of spring with a week of activities for students, faculty, and staff.

CAMPUS BUILDINGS

The main campus of Lincoln University is comprised of 169 acres and includes historical buildings from the early 20th century. The dates in parentheses indicate the years of the respective buildings were completed, rebuilt and/or renovated.

The Power Plant (1923); Foster Hall (1923); Young Hall (1931); Schweich Hall (1931); Damel Hall (1936); Allen Hall (1936); Home Management House (1941); Mitchell Hall (1942); Stamper Hall (1948); Greenhouse (1952); Richardson Fine Arts Center (1956-1958); Jason Hall (1959); KJLU-FM Radio Station (1961);Scruggs University Center (1966; rebuilt after fire 1969; renovated 2002); Elliff Hall (1967); Frank Hall (1967); Soldiers' Hall (1968); Martin Luther King Hall (1969); William J. Thompkins Center (1969); Israel J. Collier Maintenance Building (1969); Dwight Reed Football Stadium and Athletic Complex (1970); Lorenzo Green Building (1976); Shipping, Receiving and Supply Building (1977); Small Animal Research Facility (1980); Dickinson Research Center (1982; rebuilt after fire 2021); Memorial Hall (1993); and Inman E. Page Library (1997).

The University has ten residence halls: Bennett Hall (1938); Anthony Hall (1940-Phase I renovation in 2003/Phase II renovation in 2007); Tull Hall (1951-renovated in 2002); Martin Hall (1963); Perry Hall (1963); Hoard Hall (2001); Yates Hall (2001); and Sherman D. Scruggs Hall (2008) for coeducational students. Dawson Hall (1970) is offline through Fall 2024 for a renovation project.

UNIVERSITY FARMS AND SATELLITE FACILITIES

The University owns three farms in Jefferson City that are used for agricultural research: Busby Research Farm (273 acres), Carver Research Farm (172.7 acres) and James N. Freeman Farm (324.71 acres).

Lincoln University offers nursing courses in St. Robert, Missouri, near the Fort Leonard Wood military base. Outreach centers in Kansas City, Southeast Missouri, and St. Louis provide extension programming in those areas.

USE OF UNIVERSITY NAME

Recognized student organizations may use the University's name in connection with their various activities. However, all such activities must be approved in advance by authorized officials and must not purport to represent the entire University. Rather, it should be understood that any given activity is sponsored by one or more recognized student organizations of the University. For other uses of the University name or likeness, requests should be forwarded to the Office of University and Alumni Relations for prior written approval.

LINCOLN UNIVERSITY POLICE DEPARTMENT

The Lincoln University Police Department (LUPD) works to ensure the safety and welfare of the faculty, staff, and students of the University. LUPD personnel are state-certified and commissioned law enforcement officers. The department works cooperatively with other law enforcement agencies in the area including the Jefferson City Police Department, the Cole County Sheriff's Office, and the Missouri State Highway Patrol to investigate violations of campus regulations and policies, as well as local and state laws.

REPORTING CRIME AND INCIDENTS

LUPD officers have arrest powers for both on and off-campus offenses. The department also utilizes security personnel and student cadets. Crime and other incidents can be reported to LUPD at 573-681-5555. Those that occur off campus can be reported immediately to the Jefferson City Police Department, the Cole County Sherriff's Department or the appropriate jurisdiction by dialing 911.

PARKING AND TRAFFIC REGULATIONS

All students must register their motor vehicles with LUPD to utilize student-designated parking on campus. Registration must be made each academic year at the time of enrollment or within one day of bringing a vehicle on campus. A fee is charged for this registration and parking permit.

Registration of the vehicle gives the student the right to park in designated areas; however, students are not guaranteed a parking space. Students residing in campus housing may park in lots designated for residential parking during normal business hours (8 a.m. to 5 p.m.). Only students residing on campus and having the appropriate parking permit hangtag will be allowed to park in the lots adjacent to the residence halls (excluding certain employees of the building or as otherwise designated by signage). On-campus students may park in any available, non-reserved space after 5 p.m. Commuter students are not permitted to park in lots designated for residential parking. No student is allowed to park in accessible parking without the proper state-issued hangtag or license plates.

Violations of parking and traffic rules will result in a ticket and fine, and possibly towing, dependent upon the violation. All traffic fines must be paid in full prior to registration for classes.

LOST AND FOUND

Lost and Found is located in the LUPD. Persons finding lost articles should present them to the Lost and Found by contacting LUPD (573) 681-5555. Persons who have lost articles should report their loss by contacting LUPD (573) 681-5555. In order to recover a lost article, the owner must furnish an adequate description of the article and sign a receipt for the item's return.

EMERGENCY NOTIFICATION AND ANNUAL SAFETY AND SECURITY REPORT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that requires colleges and universities to issue certain timely and emergency notifications, as well as report annually information about campus crime and security policies. The requirement affects all public and private institutions of postsecondary education participating in federal student aid programs. As part of its compliance, Lincoln University makes readily available information regarding the University's crime statistics including criminal offenses, hate crimes, domestic and dating violence, as well as stalking. The report also includes weapons, drug abuse and liquor law violations. The University publishes a report every year by October 1 that contains three years of campus crime statistics, and certain security policy statements. Current campus law enforcement policies and campus security statistics are available upon request from LUPD. The most current report is also available for viewing on the University website: https://www.lincolnu.edu/police/clery-act.html.

STUDENT IDENTIFICATION CARD

Students are issued an identification card during their first registration period. The card provides identification of University students and is used for admission to designated University functions. It must be presented upon request by any University official or staff employee. Lost cards may be replaced in the ID Card Office, located in Room 117 Young Hall, upon receipt of payment for the duplicate card at the Cashier's Office, located at 105 Young Hall.

Lost or stolen cards should be delivered or reported to the LUPD.

PERSONAL INFORMATION AND RECORDS

It shall be the responsibility of each student at the time of initial enrollment at the University to provide his/her correct name, correct date of birth, correct social security number and accurate permanent and local mailing address information. The University will not change any name, birth date, social security number of any student from that provided at the time of initial enrollment without a court order or other legal authority.

A student who alters or defaces University records or knowingly provides false and/or misleading information for inclusion in University documents or records shall be subject to disciplinary action.

STUDENT ATTIRE

Students shall observe modes of dress and standards of personal grooming that are in conformity with the University's educational environment and necessary to maintain an orderly and safe atmosphere for all students. Apparel is expected to conform to reasonable student standards of modesty, and as such, no excessive or inappropriate areas of skin or undergarments may be exposed. No apparel or grooming that presents a safety concern is permitted. No apparel displaying messages that are sexually explicit, vulgar, violent, or advocating illegal activities is permitted. Further, no clothing or personal grooming that disrupts, or is likely to disrupt, the University's educational environment is permitted.

Students should use the collegiate environment to learn how to present themselves professionally, including attire, as preparation for the workplace What follows is a list of acceptable items of dress: Dresses or skirts, shirts, blouses, slacks, jeans, capris, pants or shorts. Furthermore,

a. Pants must be of appropriate fit, neither too tight nor too loose
b. No sagging pants, dresses or skirts
c. Tops/shirts must have conservative necklines
d. Clothing must not advertise or suggest inappropriate messages (weapons, profanity or sexual innuendos)

Students should be mindful of how clothing might shift when bending, reaching, wearing a backpack or otherwise moving about to avoid revealing excessive or inappropriate areas of skin.

NOTICE OF NON-DISCRIMINATION

Applicants for admission and employment, students, employees, sources of referral of applicants for admission and employment, and all professional organizations holding professional agreements with Lincoln University are hereby notified that this institution does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission or access to, or treatment or employment in, its programs and activities. All discrimination complaints will be referred to the University Complaint Coordinator. The University Complaint Coordinator will refer complaints to the appropriate person for investigation and/or for response. This includes both employee and student discrimination complaints. The coordinator will monitor deadlines and facilitate communication. Discrimination complaints must be submitted in writing and addressed to the

University Complaint Coordinator, 203 Young Hall, Lincoln University, 820 Chestnut Street, Jefferson City, Missouri 65101.

TITLE IX SEXUAL HARASSMENT, SEX EQUITY AND GENDER DISCRIMINATION COMPLAINT POLICY AND PROCEDURES

Lincoln University prohibits discrimination on the basis of sex, including sexual harassment, in education programs and activities. Title IX protects individuals from harassment connected to any of the academic, educational, extracurricular, athletic, and other programs, activities, or employment of schools, regardless of the location. Title IX is equally applicable for all students regardless of sex, gender, sexual orientation, gender identity or gender expression of any involved individuals in offering protection from sexual harassment by any school employee, student, and a non-employee third party.

NON-DISCRIMINATION NOTICE

In accordance with Title IX regulations at 34 C.F.R. § 106.9, Lincoln University does not discriminate on the basis of sex in the education programs or activities it operates. The University does not discriminate on the basis of sex in admission to or employment in its education programs or activities. Inquiries concerning the application of Title IX and its implementing regulations may be referred to the Title IX Coordinator or to the Office for Civil Rights Kansas City, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64114, Tel.: (816) 268-0550, Fax: (816) 823-1404, Email: OCR.KansasCity@ed.gov.

TITLE IX COORDINATOR

In accordance with Title IX implementing regulations at 34 C.F.R. § 106.8(a), Lincoln University has designated one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX. The coordinator's responsibilities include investigating complaints communicated to the recipient alleging noncompliance with Title IX. Section 106.8(a) also requires Lincoln University to notify all students and employees of the name, address, and telephone number of the designated coordinator. Lincoln University Title IX Coordinator contact information is as follows: Shawnda Hayes-Dunnell, Title IX Coordinator, 303 Young Hall, 820 Chestnut Street, Jefferson City, Missouri 65102-0029, Phone: 573-681-5495, Fax: 573-681-6116.

LINCOLN UNIVERSITY NOTICE OF SERVICES FOR STUDENTS WITH DISABILITIES

Students seeking assistance regarding disabled accessibility, including persons with impaired vision or hearing, should contact the Coordinator for Access and Ability Services.

This institution does not discriminate on the basis of race, color, national origin, gender, age, or disability in admission or access to, or treatment or employment in, its programs and activities. Any person having inquiries concerning compliance with Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act (ADA), is directed to contact the Coordinator for Access and Ability Services. The Coordinator for Access and Ability Services has been designated

by the University to facilitate the University's efforts to comply with the regulations implementing Section 504 and ADA. Students may also contact the Assistant Secretary for Civil Rights, U.S. Department of Education, regarding the University's compliance with the regulations implementing Section 504 of the Americans with Disabilities Act.

The following documents shall be available on the Lincoln University website and from the Coordinator for Access and Ability Services, Thompkins Health Center, 822 Lee Drive. Jefferson City, MO 65101: "Grievance Process" and "Guidelines on Submitting Documentation for Disability Services."

VETERANS AND MILITARY AFFAIRS

The Lincoln University Office of Military and Veteran Services (LUMVS) welcomes, serves, and supports veterans, reservists, survivors, and family members and recognizes their contributions as citizens and students. The LUMVS serves as an information source, advocate, and guide for our student veterans. We are dedicated to fostering and developing a sense of community and seamless communication and service among our student veterans and reservists, faculty, staff, and administration.

SERVICES PROVIDED

- Certification of enrollment for educational benefits
- Referrals for counseling (personal, career, financial, academic)
- Information on University policies and procedures
- Information about changes in legislative policies and regulations

RESIDENCY STATUS

Military personnel who are stationed within Missouri pursuant to military orders, along with their spouse and unemancipated minor children, are considered to hold Missouri resident status. Military personnel and their spouses/dependents remain eligible for in-state tuition benefits as long as Missouri remains their home of record. If a military member is reassigned to another state, the military member's spouse/dependents will maintain eligibility for in-state tuition benefits as long as they are continuously enrolled in a degree program at Lincoln University.

CAMPUS HOUSING POLICY EXEMPTION

Veterans and military personnel, regardless of their age, are exempt from the on-campus housing policy. For more information, see the Campus Life section of the Bulletin.

BEING CALLED TO ACTIVE DUTY

A student who is called to active duty in any branch of the United States military while enrolled as a student at the University will be released from his/her academic responsibilities without penalty. The following options are available:

1. A student called to active duty may request to withdraw from all classes and receive a full refund of incidental fees/tuition paid for class enrollment. If the student resides on-campus,

the refund of fees paid for room/board will be prorated. NOTE: the student must initiate the withdrawal process in the Records Office by presenting their military orders in order to qualify for refunds of tuition and fees.

2. A student called to active duty who has completed at least 85 percent of the time designated for a course may initiate a request, through the instructor of record, that s/he be permitted to either receive an "I" grade in the course or to take an early final examination and receive a final grade. NOTE: this transaction should be properly notated (to include signatures of both the student and instructor, if at all possible) with a copy of the agreement placed on file in the following offices: Department Head, College Dean and Vice President for Academic Affairs.

No modification in any of the policy options will be permitted. Once a student notifies the designated University representative of their decision, the action selected will be considered final. Any property (equipment, instruments, books) belonging to the University that the student has in their possession must be returned to the lending source prior to separation.

The approved "I" grade(s) received by a student called to active military duty before the close of the academic semester shall be maintained as a part of their academic record until such time as s/he re-enrolls in school. Upon re-enrollment, the student shall be given up to two full semesters to satisfy the requirements of the course(s) that were left unmet at the time of their departure from the University.

STUDENT RESOURCES
DIVISION OF STUDENT AFFAIRS

The Division of Students Affairs is committed through its centers and departments contributing to the futuristic process that will assist the University in the development and growth of a student through matriculation: a graduate who is technologically savvy and civically engaged making meaningful contributions to our global society.

Housing and Residential Life
Student Health
Career Services
Judicial, Title IX and Compliance
Student Engagement and Global Education

STUDENT RIGHTS AND RESPONSIBILITIES

Lincoln University students have rights that are to be respected. The following student rights and responsibilities are intended to reflect the philosophical base upon which all University student rules are built. This philosophy acknowledges the existence of both rights and responsibilities, which are inherent to an individual not only as a student at Lincoln University but also a citizen of this country.

STUDENT RIGHTS

Each student has the right to:

- Participate in a free exchange of ideas. No University rule or regulation, or administrative policy shall abridge the rights of freedom of speech, expression, petition, and peaceful assembly as set forth by the United States Constitution.
- Be treated on an equal basis, free from illegal discrimination, including harassment, in all areas and activities of the University regardless of race, color, religion, gender, age, national origin, veteran status, marital status, sexual orientation, gender identity and expression, or disability.
- Personal privacy except as otherwise provided by law. This is equally applicable to University employees as well.
- Be free from disciplinary actions by University officials for violations of civil and criminal law away from campus, except when such a violation is determined to also be a violation of the provision regarding conduct in the Code of Student Conduct or the University's Rules and Regulations.
- Disciplinary action arising from substantive violations of University student rules shall be assured a fundamentally fair process. At all student conduct hearings, an accused student shall be assumed not responsible until proven responsible, and in initial conduct hearings, the burden of proof shall rest with those bringing the charges.

STUDENT RESPONSIBILITIES

All students are responsible for:

- Respecting the rights and property of others, including other students, guests, faculty, staff, and administrators.
- Being fully acquainted with published student guidelines, the Code of Student Conduct, the Lincoln University Rules and Regulations, Missouri laws, and federal regulations.
- Recognizing that student actions reflect upon the individual involved and the entire campus community.
- Recognizing the University's obligation to provide a safe campus community conducive for living, learning, and working.
- Becoming familiar with and following all safety procedures while working in or using campus facilities during their studies, activities, or employment.

Code of Student Conduct

Attendance at a university is not mandatory. The voluntary attendance of a student at a university is a voluntary entrance into the academic community. By such voluntary entrance, the student assumes obligations of performance and behavior imposed by the university. These obligations are much higher than those imposed on all citizens by civil and criminal law. A university may discipline students to secure compliance with these higher obligations as a teaching method or to separate the student from the academic community.

Administration of Student Conduct

I. **Student Discipline**: It is the policy of Lincoln University that there are several options for the resolution of disciplinary matters, and it is at the discretion of the Vice President for Student Affairs or designee to determine which judicial board will consider the charges based on the type of violation(s). This official will take immediate interim action when it is believed that a student poses a continuing danger to persons or property or presents a threat of disrupting the University environment. If the Vice President for Student Affairs or designee takes such action, a student conduct hearing will be scheduled as soon as possible thereafter. The authority is delegated to the Student Conduct Administrator to investigate violations of the Code of Student Conduct, adjudicate hearings, and provide recommendations for sanctioning if found responsible.

II. **Conduct Standards**: The Rules and Regulations of the University are in writing to give students general notice of prohibited conduct. They should be read broadly and are not designed to define prohibited conduct in exhaustive terms. University policies applicable to student conduct can also be found in other University publications such as the academic catalog, housing agreement, and posted dining hall policies. When changes are necessary, they will be written, approved, and made available on the Student Affairs website.
   a. Violation of any municipal ordinance, laws of the State of Missouri, or the United States may result in disciplinary action. Any disciplinary action imposed by the University may precede and may be in addition to any penalty that is imposed by any off-campus officials with authority.

III. **Due Process:** Procedures during student conduct proceedings are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, within these procedures assure:
   a. Written notification will be sent to the student's official University-issued email address;
   b. A student conduct hearing before an objective arbiter;
   c. A finding that the University Code of Conduct was violated will be made with information showing that it is more likely than not that a violation occurred; and
   d. Sanctions will be proportionate to the severity of the violation.

IV. **Awareness of Policies:** Every student, including those who are taking part in any program that is University-sponsored on or off campus, must abide by the Code of Student Conduct. The expectations listed here are available on the Office of Student Affairs webpage and in the Office of Judicial, Title IX and Compliance.

V. **Jurisdiction of the Code of Student Conduct:** The Lincoln University Code of Student Conduct shall apply to conduct that occurs on University premises and off campus during University-sponsored activities. Jurisdiction may also apply to any off-

campus conduct that adversely affects the University community or the pursuit of its goals. Off-campus conduct will be assessed on a case-by-case matter. Each student shall be responsible for their conduct from the time of application for admission through the actual awarding of a degree. This also includes conduct that may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of an actual enrollment. The Code of Student Conduct shall also apply to a student's conduct even if the student withdraws from school during an active disciplinary matter, including the pending decision of responsibility.

VI. **Notification of Outcomes:** The outcome of an administrative conference, student conduct hearing, or a Title IX grievance process is part of the educational record of the accused student and is protected from release under the Family Educational Rights and Privacy Act (FERPA). However, Lincoln University observes the following legal exceptions:

a. Complainants in sexual misconduct/Title IX incidents have an absolute right to be informed of the outcome and sanctions of the student conduct hearing and any subsequent appeals, in writing, without condition or limitation.
b. Complainants in sexual misconduct/Title IX complaints have a right to be informed of information regarding sanctions that personally identifies and is directly pertinent to them, such as the imposition of a restriction on physical contact between the complainant and the responding student. Otherwise, information on the outcome and sanction cannot be shared.
c. Lincoln University may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a Lincoln University policy that is a non-forcible sex offense or a "crime of violence" including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction. Lincoln University may release this information to the complainant in any of these offenses regardless of the outcome, but complainants are cautioned that FERPA does not permit them to rerelease this information to others.
d. The University may, in its discretion, send notice or copies of disciplinary documents to the parents or legal guardians of students involved in disciplinary matters. The University may also contact parents or legal guardians of students involved in alcohol or drug violations if the student is under 21 at the time of the violation.

VII. **Auxiliary Aids and Services:** Students with disabilities as defined by the Americans with Disabilities Act (ADA) requesting special accommodations should notify the Office of Judicial, Title IX and Compliance, and the Office of Access and Ability Services in writing at least three (3) calendar days prior to a scheduled student conduct hearing.

Definitions

Accused Student: any student accused of allegedly violating the Code of Student Conduct.

Alleged: according to allegation or asserted without proof.

Appeal: a request for review of a disciplinary decision.

Business Day: the official operating hours of the University from 8 a.m. to 5 p.m., Monday through Friday or as otherwise posted.

Campus, University, or Institution: Lincoln University of Missouri, a historically Black, 1890 Land-grant, public, comprehensive institution located in Jefferson City, Missouri.

Complainant: any person who submits a charge alleging that a student violated the Code of Student Conduct. When a student believes that they have been victimized by another student's misconduct, the student who believes they are the victim will have the same rights under the Code of Student Conduct as are provided to the complainant, even if another member of the community submitted the charge.

Consent: knowingly, voluntarily, and affirmatively communicated willingness to participate in a particular sexual activity or behavior. Consent, or lack of consent, can be expressed or implied. Consent cannot be given if the person is incapacitated by mental disability, alcohol, drugs, or any other reason that is obvious of the person being unable or known by someone to be unable to make a reasonable judgement about consent (i.e., someone unconscious or asleep). Consent also cannot be given if the person is forced, coerced, threatened, under duress, or deceived. Lastly, consent cannot be given if the person is under 17 years of age, the age of consent in Missouri.

Disciplinary Actions: the proceedings that are used to determine if the Code of Student Conduct has been violated.

Disciplinary Hold: a hold placed on a student's record preventing any enrollment activity. To clear this hold, students must contact the Office of Student Conduct. Students may be required to submit documentation supporting their ability to comply with the Code of Student Conduct.

FERPA: The Family Educational Rights and Privacy Act of 1974 is a federal regulation that guarantees students or their guardians access to all educational records that pertain to them and protects the privacy of said records. Upon reaching the age of 18 or enrolling in an institute of higher education, the student is the primary owner of the record. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Students have the right to inspect and review their own educational records as well as to request the correction of any inaccuracies or misleading information. Students may waive their rights under FERPA through a signed document and can rescind the waiver of those rights at any time. This form is available by contacting the Office of the Registrar.

Good Standing: refers to a student who is not presently under a penalty – conduct probation, suspension, or expulsion – as a result of violating the Code of Student Conduct.

Group: a number of persons who are associated with one another and operate as an organization but who have not complied with University requirements for registration as a recognized student organization.

Notification: The Office of Student Conduct will communicate all official correspondences through the student's University-issued student email address.

Organization: a number of persons who have complied with University requirements for registration as a recognized student organization.

Paraphernalia: any object that contains the residue of alcohol or an illegal drug or any object that is used in the consumption or distribution of an illegal drug.

Examples: beer pong and empty alcoholic containers; marijuana pipes or blow tubes; scales used in measuring quantities of an illegal drug; or plastic bags used to package prescription or manufactured pills or other illegal drugs.

Published Policies: all University rules and regulations, policies and procedures produced as a result of approval of the Lincoln University Board of Curators or through the authority of the President of the University.

Records: all evidence produced as a written statement, document, or a report, or produced as a result of a tape or digital recording or computer entry.

Referral: an official written or verbal request made by a University official to report to the Office of Student Conduct or other University offices.

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or retaliation for engaging in a protected activity.

Retaliation: any adverse actions (by an organization or any individual) against another individual that has engaged in protected activities.

Sanctions: any penalty that is determined to be an appropriate and just response to violations of the Code of Student Conduct.

Student: any person admitted to the University, pursuing undergraduate or professional studies, whether full-time or part-time who is either currently enrolled, was enrolled the previous semester or who is registered for a future semester. This could include students who have been placed on suspension or academic probation, or who have been dismissed from the University.

Student Conduct Panel: a group authorized to determine whether a student has violated the Code of Student Conduct and to apply sanctions that may be imposed when a violation has been committed.

Student Leadership: Student leader must have completed at least 12 or more credits for the semester and must not currently be on probation (academic or social) from the University.

Temporary Sanctions: any interim penalty that is determined to be an appropriate and just response to violations of the Code of Student Conduct. Temporary sanctions are effective immediately without prior notice.

University: Lincoln University, LU or Lincoln.

University Official: any administrator, faculty, or staff member employed by the University.

University Premises: buildings or grounds owned, leased, operated, controlled, or supervised by the University.

University Property: possessions that are within the control, possession, use or ownership of the University.

University-Sponsored Activity: any activity, on or off campus, that is initiated, aided, authorized, or supervised by the University.

Unwelcome Conduct: any conduct that is considered "unwelcome" if the individual did not request or invite it and considers the conduct to be undesirable or offensive.

Weapon: includes possessing or carrying, whether openly or concealed, any gun, rifle, pistol, revolvers, BB or pellet guns, slingshots, martial arts devices, clubs, or any missile projecting weapons, explosives, ammunition, fireworks, knives, leaded canes, blackjack, metallic knuckles, or any other weapon of like kind. Facsimiles, dancing canes, pepper spray and any other self-defense chemical sprays, like mace, also may not be used in manner that is injurious or dangerous to others or they also will be considered weapons.

Prohibited Conduct

I. **Prohibited Conduct**: The University reserves the right to examine misconduct and make a determination as to whether the misconduct is serious to warrant arrest, suspension, expulsion, or other discipline. To make the determination, the following guidelines are used:

   a. Does the conduct present a danger to members of the University community?
   b. Does the conduct violate community standards of behavior to the degree that it jeopardizes the integrity of the University?
   c. Does the conduct interfere with University members' educational interests?
   d. Does the conduct infringe upon the rights of others in pursuit of an education?

Lincoln University will take appropriate disciplinary action for every weapon, threat, incident of hazing, stalking, harassment or discrimination, sexual misconduct, and/or violent act that is reasonably substantiated through investigation. Lincoln University may also take disciplinary action for certain violations reported off-campus to the extent these violations may be a threat to the campus community. This includes but is not limited to:

a. Ongoing danger to students;
b. Violent crimes;

c. Hate crimes;
d. Disturbing or threatening actions; and
e. Illegal conduct.

Inappropriate behaviors include but are not limited to:

a. Verbal, written, or acts of harassment/discrimination to include sexual harassment/discrimination, stalking, and bullying;
b. Acts of action which can be interpreted as physical assault;
c. Hazing or dangerous initiations;
d. Threats or actions interpreted by a reasonable person as having potential for violence and/or acts of aggression;
e. Threats to destroy or the actual destruction of property; and/or
f. Possession of a firearm, knife, or any dangerous weapon.

The following examples of prohibited conduct are illustrative and not exhaustive:

I. **Abuse of Student Conduct Process:** Includes investigations, conferences, hearings, and appeals. Prohibited behavior includes, but is not limited to:
    i. Failure to obey the notice from a Student Conduct Hearing Panel, Student Conduct Administrator, and/or a University official to appear for a meeting or conference as part of an official University disciplinary process;
    ii. Falsification, distortion, or misrepresentation of information;
    iii. Disruption or interference with the orderly conduct of an investigation, conference, or an appeal process;
    iv. Intentionally initiating or causing the initiation of a false report;
    v. Attempting to discourage an individual's proper participation in, or use of, the student conduct process;
    vi. Attempting to influence the impartiality of a member of a Student Conduct Hearing prior to, and/or during, the Student Conduct Hearing proceeding;
    vii. Verbal or physical intimidation, and/or retaliation of any party to the Student Conduct proceeding prior to, during, and/or afterwards;
    viii. Committing a violation of University rules while serving a conduct probation or not meeting deadlines imposed per University rules; and/or
    ix. Hindering, obstructing, or interfering with the implementation of the Code of Student Conduct.

II. Academic Dishonesty/Cheating

a. Plagiarism is a form is a form of cheating. You plagiarize if you:
    i Fail to acknowledge the source of a quotation.
    ii Fail to put an author's words inside quotation marks.
    iii Paraphrase or summarize facts or opinions from sources without stating exactly where they come from.
    iv Allow significant sections of the paper to be written by a friend or tutor.

v Purchase, download, or otherwise take possession of a paper that you represent as your own work.
vi Submit an essay written for another course and/or
vii Use an artificial intelligence program to create the essay.

b. Any student guilty of cheating, plagiarism, or other forms of academic dishonesty will be reported in writing to the department head and the dean of the college or school of the course involved and to the department head and the dean of the college or school in the student's major. Any student found guilty of academic dishonesty may receive, at the discretion of the instructor, a failing grade in the course. Disciplinary action for academic dishonesty may include suspension for one or more semesters, exclusion from selected programs of study or permanent expulsion from the University.

c. All students accused of cheating have the right of appeal through normal channels (i.e., in order, appeal to the instructor, department chair, and college dean).

III. **Acts of Bullying or Cyberbullying:** Unwanted and malicious behavior which subverts an individual or group through persistently negative attacks. The behavior is designed to undermine, patronize, humiliate, intimidate, or demean the recipient.

IV. **Acts of Dishonesty** include but are not limited to:
Furnishing false information to any University official, faculty member or office.

a. Forgery, alteration or misuse of any University document, record, material, file, or instrument of identification, including falsification of University records including signing of another student's name, using another student's identification card, credit card, or other personal documents, affixing the signature of a University official to any document circumventing the procedural process of the University to gain an unfair advantage.

V. **Alcohol**: Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly authorized by University regulations), is prohibited on Lincoln University premises and during University-sponsored events. In addition, use, possession, or distribution of alcoholic beverages while driving or riding in or on a vehicle on University premises is prohibited. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty-one (21) years of age. Individuals may not be in a state of public intoxication or drunkenness. Individuals may not operate a motor vehicle or another form of transportation while intoxicated or while under the influence of alcohol.

VI. **Arson**: Knowingly starting a fire or causing an explosion and thereby recklessly damaging or destroying a building or an inhabitable structure of another.

VII. **Assault**: The use of physical force against another person that places the person in danger of or in anticipation of bodily harm; attempts to cause or knowingly cause physical injury

by means of a deadly weapon or dangerous instrument; recklessly causes serious physical injury; or recklessly causes physical injury by means of discharging a firearm.

VIII. **Breach of Campus Safety or Security**:

a. Unauthorized access to University facilities or unauthorized possession of, use of or duplication of master keys or access cards to University offices or residential facilities; and unauthorized occupancy of or entry into locked or off-limit University buildings, to include burglary and trespassing;
b. Harboring an off-campus or non-Lincoln student;
c. Propping exterior door to residential or University building;
d. Tampering with fire alarms, extinguishers, and fire safety systems. This includes tampering with any emergency systems, pulling alarms, using extinguishers, and covering smoke detectors, all of which is prohibited; and/or
e. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions.

IX. **Bullying:** Conduct of any sort directed at another that is severe, pervasive, or persistent, and is of a nature that would cause a reasonable person in the victim's position substantial emotional distress or undermines their ability to work, study or participate in their regular life activities.

X. **Complicity**: Attempting, aiding, abetting, conspiring, hiring or being an accessory to any act prohibited by this code shall be considered to the same extent as the essential violations.

XI. **Cyberbullying**: Bullying as defined through transmission of a communication including but not limited to: a message, text, sound, or image by means of an electronic device such as a telephone (wired or wireless) or other communication device, computer, or pager.

XII. **Destruction of Property:** Defacing, damaging, destroying, or rendering inoperable on University, state, or private property.

XIII. **Disorderly Conduct**: Conduct that includes but is not limited to physical, verbal, graphic, digital, or electronic (social media, emailing, texting) that unreasonably or recklessly imposes a potential threat to a person or their personal property, and/or any behavior that disrupts the peace or interferes with the normal operation of the University or University-sponsored activities. Also known as **disruptive activity** and/or **disruptive behavior**, which may include:

a. Any act that deliberately interferes with the academic freedom or the freedom of speech of any member or guest of the University community;
b. Classroom behavior that seriously interferes with either: (1) the instructor’s ability to conduct class; or (2) the ability of other students to benefit from the instructional program;
c. Leading or inciting others to disrupt scheduled or normal activities on University premises; and/or
d. Conduct that is disorderly, lewd, or indecent.

XIV. **Domestic Violence**: A crime of violence, felony or misdemeanor, committed by a current or former spouse or intimate partner of the victim (complainant) by: a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim (complainant) as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies; or any other person against an adult or youth victim who is protected from that person's acts under the domestic and family laws of the jurisdiction.

XV. **Drugs**: The act of using, possessing, being under the influence of, manufacturing, or distributing illegal drugs or illegally obtained/possessed controlled substances is prohibited. In addition the use, possession, manufacturing, or distribution or being a party thereto of marijuana, any products such as food (or edibles) and tinctures that are infused with cannabis, cannabinoids, or cannabis concentrate, heroin, narcotics, or other controlled and/or prescribed substances and/or drug paraphernalia and/or dangerous drugs is also prohibited. Individuals may not operate a motor vehicle or another form of transportation while under the influence of drugs or while intoxicated.

XVI. **Endangerment**: Includes but is not limited to the following:

a. Fighting and/or physical violence toward another person or group;
b. Action(s) that endanger the health, safety or welfare of self or others; and/or
c. Threatening or intimidating behavior. If at any time students feel threatened or intimidated, they should report the incident to the proper authorities.

XVII. **Failure to Comply**: Any behavior, including but not limited to:

a. Failure to respond or properly identify oneself pursuant to a request by properly identified officials of the University while in the performance of their duties;
b. Failure to report to the office of a University official for a conference, meeting or appointment scheduled by the official;
c. Failure to comply with any disciplinary condition imposed on a person by any student conduct hearing body or administrator; and/or
d. Failure to comply with oral or written instruction from duly authorized university officials acting within the scope of their job duties or law enforcement officers acting in performance of their duties. Students are expected to respect persons in authority. To disagree or hold a different point of view is normal, but the rule of mutual respect should prevail. Gross disrespect to persons in authority will not be tolerated.

XVIII. **False Reporting**: Includes, but is not limited to, intentionally making a false warning of fire, explosion, bomb threat or another emergency when no emergency is present.

XIX. **Falsifying Information:** Lying, deceiving, or furnishing false or misleading information, verbally or written, for the purpose of causing another person or University official to act or refrain from acting. This includes giving a false address or failure to maintain a current

mailing address, deliberately or purposefully providing false or misleading information about another person that results in damage to the person's reputation.

XX. **Gambling**: Any kind of activity that includes, but is not limited to, the operation, playing, or betting at any game of chance at which money, property, or other things of value is bet. Certain activities like raffling may be considered permissible with the approval of the Vice President for Student Affairs/Dean of Students and authorized University departments and offices.

XXI. **Harassment**: Conduct (physical, verbal, graphic, written, digital or electronic, including texting, emailing, and social media) that is sufficiently severe, pervasive, or persistent so as to threaten an individual or limit the ability of an individual to work, study or participate in the activities of the University. Harassment of employees or students violates an individual's rights and is inconsistent with the University's policies of equal employment and academic opportunity without regard to age, sex, sexual orientation, gender identity and expression, citizenship, religion, race, color, national origin, disability, veteran, or marital status.

XXII. **Hate Crime:** Criminal offense defined under Section 557.035, RSMo of the Missouri Criminal Code and as defined under 18 U.S.C. § 249. Hate crimes are criminal acts of assault, harassment, property damage, tampering, trespassing, and rioting committed against a person(s) or property which are motivated, in whole or in part, because of actual or perceived race, color, religion, national origin, sex, sexual orientation or disability of any person.

XXIII. **Hate Speech:** Speech that is intended to insult or offend another person because of their actual or perceived identity or group membership(s). Hate speech by itself does not constitute a hate crime. The University is mindful of protecting freedom of speech and other civil liberties. The First Amendment to the Constitution of the United States protects all speech, including speech that expresses ideas that are hateful or offensive. However, certain types of speech are not necessarily protected by the First Amendment. Examples include:

a. Speech involving a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
b. Vandalizing and defacing public or private property;
c. Use of symbols or speech that is likely to incite an imminent lawless action or is accompanied by evidence of violence such as fighting or challenging another to fight; and/or
d. Bias incidents which involve verbal, written, or physical behaviors which are not criminal offenses, but target a person because of their actual or perceived identity or group membership.

    i. The University values freedom of expression and allows students, faculty, and staff to participate in a free exchange of ideas. No University rule or regulation or administrative policy shall abridge the rights of freedom of speech, expression, petition, and peaceful assembly as set forth by the United

States Constitution. While this value of openness protects controversial ideas and points of view, it does not protect harassment or conduct towards individuals that violates University policies and the Lincoln University Student Code of Conduct. Thus, if a reported bias incident includes conduct that is a potential violation of University policy, the conduct will be reported to the appropriate University office responsible for investigating those policy violations in accordance with the applicable policy.

ii. Reporting Hate Crimes or Bias Incidents:

The University must receive notice to respond effectively to alleged hate crimes or bias incidents in the University community. All University faculty and staff are obligated to report any hate crimes or bias incidents they experience, see, and/or hear as mandatory reporters of the University.

Reports complaints of a hate crime or bias incident can be made as follows:

a. **On the Lincoln University Police Department** webpage https://www.lincolnu.edu/police/index.html. In cases of hate crimes, individuals can be punished with fines and/or imprisonment. Felony offenses demonstrated to be motivated by bias are subject to enhanced penalties;

b. **By contacting the Office of Student Affairs** through email at studentaffairs@lincolnu.edu, by phone: 573-681-5502 or in-person at **302** Young Hall,820 Chestnut Street, Jefferson City, MO 65101; or

c. **By contacting the Title IX Office through email at** titleix@lincolnu.edu or by phone 573-681-5495**.**

These reporting opportunities are for non-emergency incidents only. Any persons that feel unsafe at any time should call 911 or 573-681-5555.

XXIV. **Hazing**: Acts committed for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization, or as part of any activity of a recognized student organization or student group. Prohibited behavior includes any act that endangers the mental or physical health or safety of a student or that destroys or removes public or private property; performing personal chores or errands; causing discomfort that may demean, disgrace or degrade a person regardless of location, intent or consent of participation; assisting, directing or in any way causing others to participate in degrading behavior and behavior that causes ridicule, humiliation or embarrassment; and/or engaging in conduct that tends to bring the reputation of the organization, group or University into dishonor for the purpose of initiation or admission into, affiliation with, or confirming any for affiliation or continued membership in a student organization regardless of an individual's consent to participate in the activity. Previously relied upon "traditions," including any other group or organization activity, practice or tradition, intent of such acts, or coercion by current or former members of such groups or former students will not suffice

as a justifiable reason by participation in such acts. It is not a defense that the person, or group, against whom the hazing was directed consented to, or acquiesced to, the behavior in question. The actions of either active or associate members (pledges/initiates) of an organization may be considered hazing. Examples include, but are not limited to:

a. Misuse of authority by virtue of one's class rank or leadership position;
b. Striking another student by hand or with any object or instrument;
c. Any form of physical bondage of a student;
d. Taking of a student to outlying area and dropping them off;
e. Forcing a student into a violation of the law or a University rule or policy, such as indecent exposure, trespassing, violation of visitation, etc.; and/or
f. Having firsthand knowledge of the planning of such activities or firsthand knowledge that an incident of this type has occurred and failing to report it to appropriate University officials, is also considered a form of hazing.

The definition of hazing does not apply to:

- Customary public athletic events, contests or competitions that are sponsored by the University or organized and supervised practices associated with such events
- Any activity or conduct that furthers the goals of a legitimate educational curriculum, an extracurricular program or a training program as approved by the University

Hazing is a violation of Missouri State Law under Missouri Code, Section 578.365, RSMo.

XXV. **Littering**: Dropping, throwing or otherwise disposing of any material or object other than in a container provided for that purpose.

XXVI. **Loitering**: Lingering idly or aimlessly in any area of the campus without official authority is prohibited in Assembling in clusters or wandering aimlessly about campus, especially around residential facilities and parking lots, in such a manner as to block the entrances to and from buildings, disrupt the flow of traffic or create or cause unusually loud and disturbing noises between the hours of 11 p.m. and 6 a.m. The LUPD will respond to loitering complaints and request that the offending behavior desist. Persons refusing to cooperate or who are repeatedly loitering will be cited for violation of the loitering policy and reported to the Office of Student Conduct. Offenders may be subjected to disciplinary action.

XXVII. **Misuse of Institutional Property**: Removal of any furniture, appliances, or other such items belonging to the University. Students will be held responsible for any damages and will incur costs to repair or replace said item as determined by the University.

XXVIII. **Misuse of Campus Technology**: The failure to comply with copyright laws, licensing agreements and contracts that govern university networks, software and hardware is prohibited. Abuse of the university computer use policy includes but is not limited to:

a. Any use considered commercial or for-profit;
b. Any use that intentionally or negligently causes network disruption;
c. Any use related to achieving, enabling, or hiding unauthorized access to network resources, University-owned software or other information belonging to Lincoln University, either within or outside the University network;
d. Any use related to sending/receiving electronic mail that includes, but is not limited to, the following: solicitation or commercial use, forging any portion of an electronic mail message, spamming (bulk unsolicited email), sending unwanted messages to unwilling recipients, or invasion of privacy. Additionally, willful and repeated harm such as "cyber bullying,"

"electronic bullying," "e-bullying," "SMS bullying," "mobile bullying," "online bullying," "digital bullying" or "internet bullying." inflicted through the use of computers, cellphones and other electronic or digital devices is prohibited;

e. Use of another individual's identification, network, email, or other University-based account; or related credentials, including charging any long-distance telephone calls or messages to any telephone on University premises or University-related premises without proper authorization;
f. Unauthorized transfer or entry into a file, to read, use or change the contents, or for any other reason;
g. Use of computing facilities or network resources to send obscene, harassing, threatening messages or computer viruses or worms;
h. Any use that violates University policies, procedures, and contractual agreements;
i. Any use that violates local, state, or federal laws; and/or
j. Illegal downloading, file sharing and digital piracy is prohibited. All of these activities are violations of the Code of Student Conduct and students will be held accountable. These unethical acts are considered theft, as well as a violation of University network policies. Students involved could lose network privileges, face disciplinary sanctions, and may be held criminally liable.

XXIX. **Off-Campus Misconduct**: The University reserves the right to investigate and adjudicate students who are alleged to have violated the Code of Student Conduct by an offense committed away from University premises. The University may take action in situations occurring off University premises involving student misconduct demonstrating flagrant disregard for any person or persons; or when a student's behavior is judged to threaten the health, safety, or property of any individual or group; or any other activity that adversely affects the University community or the pursuit of the Code of Student Conduct objectives. This action may be taken for either affiliated or non-affiliated activities. Matters that may present as a violation of the institutions sexual harassment policy will be reviewed by the Title IX Office.

XXX. **Pets** are not permitted in any University building, including but not limited to administrative buildings, classroom buildings, on-campus housing, dining facilities or food service areas at any time. Pets are considered animals, domestic or wild, in the company of a student, faculty or staff member, guest or visitor to the University, and does not apply to service animals. Students requiring a service animal should contact the Coordinator for Access and Ability Services.

XXXI. **Retaliation**: Harassment of a complainant or any other persons alleging misconduct, including, but not limited to, intimidation and threats.

XXXII. **Selling and Soliciting**: No individual or group is permitted to act as a vendor, sales agent or any matter establishing a business enterprise on University premises. To safeguard privacy and prevent exploitation, no room-to-room solicitation is permitted in residential facilities.

XXXIII. **Sexual Harassment**: Conduct on the basis of sex classified as one or more of the following:

a. Quid Pro Quo: an employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; and/or
c. Sexual assault as defined as an offense classified as forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. 20 U.S.C. § 1092(f)(6)(A)(v) which includes but is not limited to:
    i. Dating violence as defined as violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim (complainant); and where the existence of such a relationship shall be based on a consideration of the following factors: length of the relationship, the types of relationship, the frequency of the interaction between the persons involved in the relationship. 34 U.S.C. §1229(a)(11).
    ii. Domestic violence as defined as a crime of violence, felony or misdemeanor, committed by a current or former spouse or intimate partner of the victim (complainant), by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim (complainant) as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. 34 U.S.C. § 12291(a)(12).
    iii. Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the

safety of others or suffer substantial emotional distress. 34 U.S.C. § 12291(a)(36).

XXXIV. **Sexual Misconduct:** Any act of a sexual nature perpetrated against an individual without consent or when an individual is unable to freely give consent regardless of personal relationship. Sexual misconduct behaviors are offenses conducted against an individual that involves:

a. **Fondling**: the act of touching the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
b. **Sexual exploitation**: a form of sexual misconduct that occurs when an individual takes non-consensual or abusive sexual advantage of another for their own benefit or to benefit anyone other than the one being exploited.
c. **Sexual intimidation**: a form of sexual harassment consisting of conduct in which an individual threatens to sexually assault another person, stalks someone (including cyber-stalking), or engages in indecent exposure.
d. **Sexual Assault**: attempting or making sexual contact, including, but not limited to, inappropriate touching or fondling against the person's will, or in circumstances where the person is physically, mentally, or legally unable to give consent.

XXXV. **Theft**: Unauthorized removal or stealing of public or private property or unauthorized use or acquisition of services on University premises or at University- sponsored activities is prohibited; and/or knowingly being in possession of stolen property.

XXXVI. **Unauthorized Use of University Name or Likeness**: Unauthorized use of University name or likeness is prohibited. Permission must be obtained, in writing, from the Office of Communications and Marketing to use any of the University branding images. Use without permission constitutes misrepresentation of the University and may equate to fraud.

XXXVII. **Vandalism:** A person commits the offense of institutional vandalism if they knowingly vandalize, deface, or otherwise damage (1) Any church, synagogue or other building, structure or place used for religious worship or other religious purpose; (2) Any cemetery, mortuary, military monument or other facility used for the purpose of burial or memorializing the dead; (3) Any school, educational facility, community center, hospital or medical clinic owned and operated by a religious or sectarian group; (4) The grounds adjacent to, and owned or rented by, any institution, facility, building, structure or place described in subdivision (1), (2), or (3); (5) Any personal property contained in any institution, facility, building, structure or place described in subdivision (1), (2), or (3); (6) Any motor vehicle which is owned, operated, leased or under contract by a school district or a private school for the transportation of school children; or (7) Any public monument or structure on public property owned or operated by a public entity. The offense of institutional vandalism is a class A misdemeanor, unless the value of the property damage is seven hundred fifty dollars or more, in which case the offense is a class E felony; or the

value of the property damage is more than $5,000, in which case the offense is a class D felony. In determining the amount of damage to property, for the purposes of this section, damage includes the cost of repair or, where necessary, replacement of the property that was damaged.

XXXVIII. **Visitors or Guests**: Students are permitted to host visitors and guests; however, visitors must adhere to the Code of Student Conduct and University policies. In instances where guests violate rules or policies, the student host may be held responsible.

a. Whether a visitor is a student, non-student or non-identified guest the student host may be held responsible for violations of the Code of Student Conduct and University policies.
b. Responsibility under these rules may occur even if the host is not a participant in the activity or has left the visitor(s) alone.

XXXIX. **Weapons:** Includes possessing or carrying, whether openly or concealed, any gun, rifle, pistol, revolvers, BB or pellet guns, slingshots, martial arts devices, clubs, or any missile projecting weapons, explosives, ammunition, fireworks, knives, leaded cane, blackjack, metallic knuckles, or any other weapon of like kind. Facsimiles, dancing canes, pepper spray and any other self-defense chemical sprays, like mace, also may not be used in any manner that is injurious or dangerous to others or they also will be considered weapons.

Violations of Law and University Discipline

The focus of inquiry in student conduct proceedings shall be the determination of whether a violation of the University rules occurred. Student conduct proceedings shall be informal in nature and need not comply with formal processes associated with the criminal or civil courts, nor shall deviations from the prescribed process necessarily invalidate a decision or proceeding unless significant prejudice to the student or University may result. Standards outlined by the University for students may be higher than those standards set for the general population. As each person is subject to multiple layers of expectations through the federal, state, county, and local governments, students are further expected to maintain a higher standard of behavior as members of the University community. Students failing to adhere to those standards may be subject to a University conduct process in addition to civil or criminal litigation should the behavior also be a potential violation of the law.

The attempted analogy of student discipline to criminal proceedings against adults and juveniles is not sound. Students may be charged with conduct that potentially violates both the criminal law and this Code of Student Conduct (that is, if both violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court and criminal arrest and prosecution. Proceedings under this Code of Student Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus at the discretion of the Vice President for Student Affairs/Dean of Students or designee. Determinations made or sanctions imposed under this Code of Student Conduct shall not be subject to change because criminal charges were dismissed, reduced, or resolved in favor of or against the criminal law defendant. When a student is charged by federal, state, or local authorities with a violation of the law, the University will not request or agree to special consideration for that individual due to their student

status. If the alleged offense is also being processed under the Code of Student Conduct, the University may advise off-campus authorities of the existence of the Code of Student Conduct and of how matters are typically handled within the University. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus.

Code of Student Conduct Procedures

Lincoln University views the student conduct system as an educational standard designed to facilitate each student's personal growth and understanding of the acceptable behavior of Lincoln University students. The Office of Judicial, Title IX and Compliance will accept written notification of potential violations of the Code of Student Conduct by any member of the University community. Any charge should be submitted in writing as soon as possible after the alleged violation takes place, preferably within five (5) business days.

Once an incident is reported, the Office of Judicial, Title IX and Compliance will investigate to determine if a violation of the Code of Student Conduct has occurred or if the incident should be referred to the Title IX Coordinator for further review. Depending on the preliminary investigation, a Student Conduct Administrator may determine that a matter may be handled in the following ways*:

I. **Student Conduct Hearing**: The student conduct hearing panel will hear cases involving primary violations of the Code of Student Conduct. The student conduct hearing is not similar to a criminal trial. The focus of inquiry in disciplinary proceedings shall be deciding whether the student violated the Code of Student Conduct. Formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures necessarily invalidate a decision or proceeding unless significant prejudice to the student results. If the incident involves allegations of sexual harassment, the Title IX Coordinator will review the details of the incident and determine whether the incident violated the sexual harassment policy. Please refer to the Sexual Harassment Grievance Process section of this document for more information.

II. **Administrative Conference**: The student meets with a Student Conduct Administrator to discuss the violations, the student's involvement in the incident or lack thereof, and any other information relevant to the charges. Based on the information presented and discussed in the conference, the Student Conduct Administrator will determine whether a violation has occurred and issue sanctions accordingly.

III. **No Action**: Complaints that fall outside the University's jurisdiction do not violate the Code of Student Conduct, or that are not supported by sufficient information, may result in no action being taken by the Office of Judicial, Title IX and Compliance.

If a student conduct hearing is scheduled, student(s) facing disciplinary proceedings must report for the scheduled hearing. The student's University-issued email address is the official mode of notification used by the Judicial, Title IX and Compliance. A student's failure to appear will not prevent the hearing from occurring or from sanctions being imposed. If an accused student with notice, does not appear at a student conduct hearing, the information in support of charges shall be

*SARA Student Consumer Protection & Grievance Policy added as an addendum to this document (8/13/26).

presented, considered, and a decision may be made. The Office of Judicial, Title IX and Compliance may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witnesses during the conference and/or hearing. There is no entitlement to these accommodations, and it shall be determined by the Student Conduct Administrator. The Student Conduct Administrator may also make reasonable accommodations to provide access for students with disabilities.

Student Conduct Hearings are not criminal or judicial proceedings. Information for a finding is based on a standard that an act was "more likely than not" to have occurred. The supporting information does not have to be in the form of physical evidence nor does the alleged violation have to be witnessed. Circumstantial information can be sufficient in some instances to determine that an act was more likely than not to have occurred. Although the terms and procedures may be similar to criminal law or the criminal court system, they are specific to Lincoln University and limited to the meaning and use given to them by the University. An act not criminally prosecuted may still violate University policy.

In all student conduct hearings, the accused shall be presumed not responsible until it is proven that a violation of the University's Code of Student Conduct occurred. The burden of proof shall rest with those bringing the charges and said burden of proof shall be by a preponderance of the evidence. Preponderance of the evidence is defined as the greater weight and degree of credible evidence admitted in the conference or hearing.

The Student Conduct Administrator is authorized to exercise active control over the proceedings to elicit relevant information, avoid needless consumption of time, prevent the harassment or intimidation of the accused and witnesses, and render a decision concerning the disciplinary action to be taken. The accused student and their advisor, if any, shall be allowed to attend the entire portion of the student conduct hearing at which information is received (excluding deliberations) provided the accused student and their advisor appear at the designated time and do not inhibit the proceeding. Admission of any other person to the student conduct hearing shall be at the discretion of the Student Conduct Administrator.

A student may not be expelled, dismissed, or suspended prior to a Student Conduct Hearing. The Vice President for Student Affairs/Dean of Students or Designee can impose an interim suspension if they believe that the presence of a student on campus poses a continuing danger to persons or property or presents a threat of disruption to the academic process. If the student is a repeat offender and a threat to the orderly operation of campus activities, a sanction may be temporarily imposed. A hearing will be scheduled as soon as possible thereafter, with the exception of sexual harassment allegations.

The following rights apply to an accused student when a Student Conduct Hearing might result in expulsion, dismissal, or suspension. Accused students subjected to less severe sanctions may, at the discretion of the Student Conduct Administrator, be afforded, but not guaranteed the following rights:

a. Right to be informed in writing of all violations at least three (3) business days before any conference may proceed. The student's University- issued email address is the official mode of notification used by the Office of Judicial, Title IX and Compliance.

b. Right to waive the three (3) business- day notice of charges
c. Right to reasonable access to the case file, which shall be maintained in the Office of Judicial, Title IX and Compliance.
d. Right to know that there will be no finding of responsibility solely because a student remains silent during disciplinary proceedings.
e. Right to consultation of a personal adviser/ counselor during the student conduct hearings. A personal adviser or counselor (who may be an attorney) may appear at a student conduct proceeding with the student to provide advice but may not represent the accused student or directly cross-examine witnesses except when pertaining to sexual harassment hearings (refer to page for information on sexual harassment allegations), and except in a case where the University is represented by an attorney. A student must notify the University at least three (3) business days prior to the scheduled hearing in writing if he or she plans to have an attorney present. Student(s) who have been charged in the same fact pattern, or who are not in good standing with the University are not eligible to serve as an adviser/ counselor.
f. An opportunity to review all information in their Student Conduct file prior to a hearing, including information to be used in their student conduct matter. The University also has the right to review any information the student intends to use at least three (3) business days before the student conduct hearing. A hearing will be scheduled within five (5) business days if possible.
g. Right to present witnesses, but they may not remain in the student conduct hearing after providing testimony. Character witness information shall be accepted in written form only.
h. Right to request an open student conduct hearing. An open hearing may be held only if all students involved provide written consent to disclose any and all information. Which might be released from their educational record during the course of the hearing. Final determination will be at the discretion of the hearing officer. Anyone who disrupts a hearing may be removed from the hearing and may not be allowed to return.
i. Right to a written statement of the outcome of the proceeding within two (2) business days of the hearing's completion.
j. There shall be a single verbatim record, such as a tape or digital recording, of all student conduct hearings before a Student Conduct Panel. Deliberations shall not be recorded. The record shall be the property of the University.
k. Right to appeal the decision through the appropriate University channels within two (2) business days of receiving the notice. The appeal must be in writing.

Sexual Harassment Policy & Grievance Procedures

The following section is an excerpt of the Lincoln University Sexual Harassment Policy and Grievance Procedures. To find a detailed outline of the Sexual Harassment Grievance Process, visit www.lincolnu.edu/web/title-ix or contact the Title IX Coordinator located in 303 Young Hall or by phone at (573) 681-5495 or email at TitleIX@lincolnu.edu.

Lincoln University prohibits discrimination on the basis of sex, including sexual harassment, in education programs and activities. Title IX protects individuals from harassment within the United

States connected to any of the University's academic, extracurricular, athletic, and employment programs and activities.

This policy applies to administrators, faculty, staff, students; applicants for employment; third-party contractors; and all persons that participate in the University's educational programs and activities as guests and visitors. This policy is equally applicable for all students and employees regardless of sex, gender, sexual orientation, gender identity or gender expression of any involved individuals.

Lincoln University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the actual or attempted offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual that satisfies one or more of the following:

1) Quid Pro Quo:
   a. an employee of Lincoln University,
   b. conditions[1] the provision of an aid, benefit, or service of Lincoln University,
   c. on an individual's participation in unwelcome sexual conduct.
2) Sexual Harassment:
   a. unwelcome conduct,
   b. determined by a reasonable person,
   c. to be so severe, and
   d. pervasive, and,
   e. objectively offensive,
   f. that it effectively denies a person equal access to Lincoln University's education program or activity.[2]
3) Sexual assault, defined as:
   a) Sex Offenses, Forcible:

[1] Implicitly or explicitly.

[2] Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

- Any sexual act[3] directed against another person[4],
- without the consent of the Complainant,
- including instances in which the Complainant is incapable of giving consent.

b) Sex Offenses, Non-forcible:
- Incest:
  1) Non-forcible sexual intercourse,
  2) between persons who are related to each other,
  3) within the degrees wherein marriage is prohibited by Missouri law
- Statutory Rape:
  1) Non-forcible sexual intercourse,
  2) with a person who is under the statutory age of consent of 17.

4) Dating Violence, defined as:
a. violence,
b. on the basis of sex,
c. committed by a person,

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[3] Sexual acts include:

Forcible Rape:
- Penetration,
- no matter how slight,
- of the vagina or anus with any body part or object, or
- oral penetration by a sex organ of another person,
- without the consent of the Complainant.

Forcible Sodomy:
- Oral or anal sexual intercourse with another person,
- forcibly,
- and/or against that person's will (non-consensually), or
- not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age# or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object:
- The use of an object or instrument to penetrate,
- however slightly,
- the genital or anal opening of the body of another person,
- forcibly,
- and/or against that person's will (non-consensually),
- or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Forcible Fondling:
- The touching of the private body parts of another person (buttocks, groin, breasts),
- for the purpose of sexual gratification,
- forcibly,
- and/or against that person's will (non-consensually),
- or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

[4] This would include having another person touch you sexually, forcibly, or without their consent.

d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

iii. Dating violence does not include acts covered under the definition of domestic violence.

5) Domestic Violence, defined as:

a. violence,
b. on the basis of sex,
c. committed by a current or former spouse or intimate partner of the Complainant,
d. by a person with whom the Complainant shares a child in common, or
e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Missouri, or
g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Missouri.

To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking, defined as:

a. engaging in a course of conduct,
b. on the basis of sex,
c. directed at a specific person, that
   i. would cause a reasonable person to fear for the person's safety, or
   ii. the safety of others; or
   iii. Suffer substantial emotional distress.

For the purposes of this definition—

(i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

(iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

All employees who have actual knowledge of incidents that involve the stated actions are required to report the matter to the Office of Judicial, Title IX and Compliance, Deputy Title IX Coordinators, Vice President for Student Affairs or LUPD. Complainants (victims) of sexual harassment have the right to file an informal or formal complaint, which is called a grievance, to the Office of Judicial, Title IX and Compliance. The following section will outline the grievance process.

Complainants who decide to file an **informal grievance** (complaint) provides details of the incident to the Title IX Coordinator providing the institution with knowledge of the occurrence of an incident. Informal complaints do not activate an investigation and does not require the involvement of law enforcement. Complainants who choose to provide an informal complaint can also benefit from supportive measures like counseling services and medical services.

In the event that a complainant decides to file a **formal grievance** (complaint) with the Title IX Coordinator, an investigation will be launched. The formal grievance process determines whether or not the *Sexual Harassment Policy* has been violated. If the investigation finds that the policy has been violated, the University will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to sexual harassment or retaliation, their potential recurrence, or their effects.

Formal complaints must be provided in writing by the complainant or verbally to the Title IX Coordinator. Complaints can also be submitted by anyone who has actual knowledge of the alleged incident, who may not be the actual victim.

Amnesty for Complainants and Witnesses

The Lincoln University community encourages the reporting of misconduct and crimes by complainants and witnesses. Sometimes, complainants or witnesses are hesitant to report incidents to University officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Additionally, students who may have been drinking or using illicit drugs may also fear seeking helping from campus police. Conversely, respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interest of the University community that complainants choose to report misconduct to University officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, Lincoln University maintains a policy of offering parties and witness's amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline

system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to respondents with respect to complainants.

In the event a party indicates that they are willing to obtain assistance, the University will offer a way to support healthy lifestyle decisions.

Complainant and Respondent Rights

The following rights apply to the alleged victim of sexual misconduct in student conduct conference:

I. The right not to attend the sexual misconduct hearing, but any evidence or statements provided cannot be used in determining sanctions.
II. Right to submit a victim impact statement that details the alleged consequences suffered by the victim.
III. Right to have a personal adviser/counselor accompany them during the student grievance process conference. An attorney may appear at a student proceeding with the alleged victim to provide advice but may not represent the alleged victim.
IV. Right to request immediate on-campus relocation (based on available space), transfer of classes or other steps to prevent unnecessary or unwanted contact or proximity to the accused, when such contact is likely to place the alleged victim in danger of bodily injury or cause the alleged victim severe emotional distress.
V. Right to be informed of the outcome of the hearing. The proceedings and outcome of all student grievance process hearings are considered confidential information in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974. Such information should not be otherwise disclosed unless the grievance process hearing has been requested to be open.
VI. Right to not have their past behavioral history discussed during the grievance hearing. The Hearing Panel Chair shall determine questions of relevancy.
VII. There shall be a single verbatim record, such as a tape or digital recording, of all student grievance process hearings before a hearing panel. Deliberations shall not be recorded. The record shall be the property of the University.

The following procedures apply only to qualifying allegations of sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) involving students, staff, administrators, and faculty of Lincoln University.

If an allegation is dismissed on the basis that it does not qualify as a violation of the sexual harassment policy, it can be reviewed and resolved using other conduct resolution processes (student code of conduct or employee disciplinary review process).

Notice of Complaint

Complaints submitted to the Title IX Coordinator of an alleged violation of the *Sexual Harassment Policy*, prompts an initial assessment to determine the next steps the University will need to take. The Title IX Coordinator will initiate one of the following three responses:

I. Offer supportive measures because the Complainant does not want to file a formal complaint; and/or,

II. An informal resolution (upon submission of a formal complaint); and/or
III. A formal grievance process, including an investigation and a hearing (upon the submission of a formal complaint).

Initial Assessment

Following receipt of the complaint, or notice, of the alleged violation, the Title IX Coordinator will conduct an initial assessment within one (1) to five (5) business days. The following outlines the initial steps:

I. If notice is given, the Title IX Coordinator will seek to determine if the person impacted wishes to make a formal complaint, and will assist them in doing so, if desired.
    a. They do not wish to do so; the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
II. If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the complainant to make sure it is correctly complete
III. The Title IX Coordinator reaches out to the complainant to offer supportive measures and informs the complainant of their right to have an advisor present,
IV. The Title IX Coordinator works with the complainant to determine if they prefer a supportive or remedial response, an informal resolution option, or a formal investigation and grievance process.
    a. If a supportive and remedial response is preferred, the Title IX Coordinator works with the complainant to identify their wishes, assess the request, and implements them accordingly. No formal grievance process is initiated, though the complainant can decide to initiate one later, if desired.
    b. If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution and may seek to determine if the Respondent is also willing to engage in an informal resolution.
    c. If a formal grievance process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX.
        i. If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
            1. An incident, and/or
            2. a pattern of alleged misconduct, and/or
            3. a culture/climate concern based on the nature of the complaint.
        ii. If it does not, the Title IX Coordinator Title IX will "dismiss" that aspect of the complaint, if any, assesses which policies may apply (i.e., Student Code of Conduct or employee handbook/Rules & Regulations).

Violence Risk Assessment

In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by LUPD and the Vice President for Student Affairs/Dean of Students as part of the initial assessment. A VRA can aid in the critical and/or required determinations, including:

I. Emergency removal of a respondent on the basis of immediate threat to physical health/safety;

II. Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able complainant;
III. Whether to put the investigation on the footing of incident and/or pattern and/or climate;
IV. To help identify potential predatory conduct;
V. To help assess/identify grooming behaviors;
VI. Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
VII. Whether to permit a voluntary withdrawal by the respondent;
VIII. Whether to impose transcript notation or transfer from the University about respondent;
IX. Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
X. Whether a Clery Act Timely Warning/Trespass order/persona-non-grata is needed.

Dismissal of Complaints (Mandatory and Discretionary)

Per Title IX of the Education Amendments of 1972, part 106 of 34 CFR, the University **must** dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

I. The conduct alleged in the formal complaint would not constitute sexual harassment as defined above, even if proved; and/or
II. The conduct did not occur in an educational program or activity controlled by Lincoln University (including buildings or property controlled by recognized student organizations), and/or the University does not have control of the Respondent; and/or
III. The conduct did not occur against a person in the United States; and/or
IV. At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in an education program or activity of the University.

The University **may** dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

I. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
II. The respondent is no longer enrolled in or employed by the University; or
III. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegation therein.

Upon dismissal, the University will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

Right to an Advisor

The parties may each have an advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they choose. The parties may select whoever they wish to serve as their advisor as long as the advisor is eligible and available. Although parties can select an advisor who is also a witness can cause bias, which will be reviewed during the hearing by the arbiter.

I. **Who Can Serve as an Advisor -** The advisor can be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose advisors from inside or outside of the University community.

The Title IX Coordinator may also offer to provide a trained advisor for any party, if the party so chooses. If the parties choose an advisor from the pool from within the University, the advisor will be trained by the University and be familiar with the University's resolution process.

II. **Advisor's Role in Meetings and Interviews.** The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

Lincoln University cannot guarantee equal advisory rights, meaning if one party selects an advisor who is an attorney, but the other party does not or cannot afford an attorney, the University is not obligated to provide an attorney.

Advisors may request to meet with the administrative official(s) conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows advisors to clarify and understand their role and the University's policies and procedures.

All advisors are subject to the same University policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. For more information regarding the role and expectations of advisors, please refer to the Lincoln University Sexual Harassment webpage found at www.lincolnu.edu/web/title-ix.

Resolution Processes

Resolution proceedings are private. All individuals present are expected to maintain privacy in accordance with the University's policy. Although there is an expectation of privacy around what investigators share with parties during interviews, the parties have the discretion to share their own knowledge and evidence with others if they so choose. The exception to this pertains to information the parties agree not to disclose related to informal resolutions, discussed below. The University encourages parties to discuss any sharing of information with their advisors before doing so.

I. **Informal Resolutions** can include three different approaches:
   a. When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation;
   b. When the parties agree to resolve the matter through an alternate resolution mechanism as described below, including mediation, restorative practices, etc., usually before a formal investigation takes place; or
   c. When the respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process (similar to above, but usually occurs post-investigation).

II. **Formal Resolutions** involve the submission of a formal complaint provided by the complainant; however, the complainant can request an information resolution by contacting the Title IX Coordinator. If the respondent accepts full responsibility for all misconduct allegations during the formal resolution process, the formal process can pause, and the Title IX Coordinator can determine if an informal resolution is appropriate.

Resolution Timeline

The University will make a good faith effort to complete the resolution process within sixty-to ninety (60-90) business days. This period includes the potential appeal, which can extend the timeline as necessary for causes identified by the Title IX Coordinator. If an extension is necessary, the Title IX Coordinator will provide notice and rationale for any extensions or delays to the parties involved as appropriate. This notice will also include an estimation of the revised timeline.

The Investigation Process

Similarly, the University will make a good faith effort to complete the investigation process within thirty (30) business days. In the event of delays, the Title IX Coordinator will provide notice to all parties with a rationale and an estimated completion timeline. Potential delays could be in the form of requesting language assistance for speakers of other languages, the absence of parties and or witnesses, and or accommodation requests for disabilities or health conditions.

The University's actions or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

For details of the investigative steps of investigators, visit the Title IX webpage on Lincoln University website.

Sanctions

All disciplinary sanctions imposed upon students are cumulative in nature and will be recorded in the student's disciplinary record.

Goals of sanctions are:

- To **reestablish** order and safety while considering the common good, which sometimes necessitates the temporary or permanent removal of the student from the Lincoln University community,
- To **repair** the harm for those impacted by the student; harm of the student, other parties involved, and the community.
- To **restore** the student to good standing within the Lincoln University community, provided the safety and order of the community is not jeopardized by the individual's presence, and

- To address the cause of the violation and to allow the student to **reflect** upon their actions and their impact on themselves, others, and Lincoln University community

Primary Sanctions

A student who has been issued a primary sanction is deemed "not in good standing" with the University, and has the following restrictions/consequences:

- Ineligibility to hold any elected or appointed office recognized by the University
- Ineligibility to represent the University community in any activity or program;
- Review of eligibility to receive financial aid administered by the University;
- Notice of the disciplinary status in the student's file;
- Subsequent violations of the Code of Student Conduct during the probationary period, which constitute a violation of the probation, and may subject the student to a major disciplinary action and recording of the outcome in the student's file.

The following are identified as primary sanctions:

I. **Expulsion**: Separation of the student from the University whereby the student is not eligible for readmission.
II. **Dismissal**: Separation of the student from the University for an indefinite period of time. Readmission to the University may be possible, but not guaranteed.
III. **Suspension**: Separation of the student from the University for a definite period of time. The student is not guaranteed readmission at the end of this period of time but is guaranteed a review of the case and a decision regarding eligibility for readmission.

Interim suspension: The University has the right to issue an Interim Suspension when the student engages in or threatens to engage in behavior(s) which pose a danger of causing harm to others, or when the student exhibits behavior(s) that renders him/her unable to effectively function in residence areas and/or University, or when the student exhibits behavior(s) that significantly interfere with the educational pursuit of others. When a student engages in or threatens to engage in such behavior, the most effective emergency response to protect University environment may be to require the student to leave the campus for a period of time, allowing a thorough investigation and opportunity for a conduct hearing.

The Dean of Students or their designee, in consultation with the President of the University or designee, may impose an interim suspension, and must always make the determination with the Title IX Coordinator (or designee) in all sexual misconduct cases as defined under the University Sexual Harassment Policy and Grievance Procedures. In addition, the University may authorize official representatives to make an administrative determination that the interim suspension of a student is necessary. Those officials are: On-Call Administrators, Care Team Core Members, Director of Housing, and Chief of Police (or designee).

Interim Suspension is issued to a student in writing via University email. Interim Suspensions become effective immediately based upon evidence that the continued presence of the student on the campus may pose a significant threat of causing harm to others, or when the student is unable to effectively function in residence areas and/or the University, or when the student's behavior(s) significantly disrupts the educational pursuits of others.

While serving an interim suspension, the student may not be present anywhere on University property or participate in any University-sponsored events or activities (athletic events, clinical rotations, internships, or co-ops, etc.) pending further evaluation of the circumstances that led to the interim suspension. The student's University identification card and/or residence key will be confiscated and held in the Office of Student Affairs, pending the outcome of the interim suspension hearing. Upon notice of an interim suspension, the student must leave the campus no later than the time listed on the Interim Suspension Letter. Non-compliance may result in arrest for trespass and the student may be subject to the College's disciplinary process. A student placed on an interim suspension, who wishes to retrieve items from their residence hall or conduct University business must contact the LUPD 24 hours prior to arriving to campus.

Depending on the circumstances, an interim suspension may lead to the issuance of an Involuntary Leave of Absence to those students who are determined by the Dean of Students (or designee), in consultation with the Care Team, to require medical or psychological evaluation or intervention prior to returning to the University.

If it is alleged that a Code of Conduct violation has occurred, the Office of Judicial, Title IX, and Compliance will schedule a disciplinary proceeding at another time to adjudicate the charges against the student. Following the Conduct hearing, the Dean of Students (or designee) shall notify the student, within three (3) business days, whether the interim suspension has been lifted, or will continue pending the outcome of a disciplinary proceeding. The student will receive written notice of the charges against him/her via a Notice of Summons Hearing issued by the
Office of Judicial, Title IX and Compliance. The disciplinary proceeding will comply with the procedures outlined in the Lincoln University Student Handbook & Code of Conduct.

There will be no refund of tuition, room, or board charges after the published deadline if withdrawal from courses and/or campus residence is affected because of an interim suspension.

Faculty Responsibilities to Students on Interim Suspension
During the interim suspension, the student is permitted to continue class participation using Canvas and/or University email. The Office of the Dean of Students will contact the student's professors to allow this accommodation; however, it is the student's responsibility to contact his/her instructor regarding assigned coursework.

During the suspension period, records will remain flagged, and transcripts will be held until the student(s) has complied with University imposed sanctions, and until the conclusion of the suspension period.

IV. **Deferred suspension**: The sanction of suspension may be placed in deferred status. If the student is found in violation of any University regulation during the time of the deferred suspension, the suspension is immediate without further review. Additional disciplinary action appropriate to the new violation may also be taken.

Secondary Sanctions

I. Psychological Assessment: The University can mandate the student undergo a psychological assessment to determine whether the student is eligible to remain a student, and in cases of separation from the institution, return as a student. The cost of the assessment shall be the student's responsibility.

II. Letter of Reprimand: A letter of record about the University's displeasure with the student's involvement in any incident that reflects unfavorably on the student or the University.

III. Loss of Dining Privileges: Revocation of campus dining privileges as a result of disciplinary violation.

IV. Mediation: All parties involved in a dispute seek to reach a resolution with the aid of neutral mediators. Agreements reached are based on the interests of all parties so that everyone reaches a satisfactory compromise or settlement of the dispute.

V. Verbal Warning: A verbal admonishment may be given to a student for actions unbecoming to the University community.

VI. University or Community Service: This may be assigned to students who are required to work in a specified area of community service for a specific time as a means of satisfying the requirements of a disciplinary decision.

VII. Educational Requirements: Provisions to complete specific educational requirements related to the violation committed. These initiatives could include ethics, alcohol, drug education programs or conflict resolution that are designed to promote responsible decision-making regarding alcohol and other drugs through education, assessment, and referral. Those found in violation are subject to mandatory fees associated with these programs.

VIII. Restrictions: The withdrawal of specified privileges for a definite period of time as a result of negative behavior but without further penalties contained in the imposition of conduct probations.

IX. Loss of Campus Parking Privileges: Revocation of campus vehicle registration and forfeiture of a permit as a result of disciplinary violation.

X. Loss of Campus Housing Privilege: Removal from University housing for disciplinary reasons.

Once a student has been assessed a disciplinary sanction by the Office of Student Rights & Responsibility, it may not be increased by any higher University authority.

Appeals

Each grievance shall be accorded only one opportunity to be passed on judicially unless the Appeal Administrator remands for further review.

If a primary sanction separating a student from the University is issued, the student conduct hearing outcome may be appealed based on the following:

I. Violations of a charged student's rights or other failure to follow the outlined student conduct procedures that affected the outcome of the initial conference. Appeals based on this reason will be limited solely to a review of the record of the hearing.
II. Ability to present new information that was not available at the time of the hearing and could not have been presented. In addition, the student must show that the new information could have substantially affected the outcome. The nature of the information must be described in full detail in the appeal letter.
III. The severity of the sanction(s) is disproportionate to the nature of the offense.

If a student who receives a sanction of conduct probation or below, the student may appeal the student conduct conference hearing outcome based on the following:

I. Ability to present new information that was not available at the time of the hearing and could not have been presented. In addition, the student must show that the new information could have substantially affected the outcome. The nature of the information must be described in full detail in the appeal letter.
II. The severity of the sanction(s) is disproportionate to the nature of the offense.

Filing an Appeal

To initiate an appeal, students must complete the Appeal Form and must submit a written statement detailing the basis for the appeal. The completed request must be submitted by the student to the Vice President for Student Affairs/Dean of Students located in Young Hall, RM 303 within two (2) business days of the decision. Students who do not submit their appeal request by the date specified in the decision letter waives their opportunity to appeal. For Title IX appeals, written requests are submitted to the Title IX Coordinator.

The student must base the appeal on one or more specific aspect of the original student conduct hearing listed above.

Preparing for Your Appeal

Once the University has issued a decision on whether the student was found responsible for violating a student rule, the responsibility now shifts to the student to provide, in writing, a basis covering the student's reasons for the appeal as specified above (e.g., new information and/or severity of sanction). In cases where the reason for an appeal is new information that was not available at the time of the original student conduct hearing, information should be submitted as to why this information was not available at that time.

It is important to remember that the written statement must be as comprehensive and accurate as possible in order for the Vice President for Student Affairs/Dean of Students to make the most informed decision regarding the appeal after reading the appeal paperwork.

Standard of Proof: Preponderance of the Information Evidence

In a case where there is a factual dispute, the Vice President for Student Affairs/Dean of Students can never have absolute proof of what really happened because the Vice President for Student Affairs/Dean of Students is never an eyewitness. The best the Vice President for Student Affairs/Dean of Students can do is determine what happened based on a preponderance of credible information presented in the hearing. The standard of proof is intended to assure all concerned that the level of the Vice President for Student Affairs/Dean of Students' belief is uniform in all cases. The level of proof required at Lincoln University in University disciplinary cases is a preponderance of the information. This simply means that the proof need only show that the facts are more likely to be so than not so.

Appeal Decisions

All appeal decisions are made to the Vice President for Student Affairs/Dean of Students. If the appeal is denied, the student has the right to appeal to the President, which is a final and binding appeal. The student is afforded no other opportunity for further appeal. After review of all the written information provided, the Vice President for Student Affairs/Dean of Students may take one of the following actions:

- Uphold the original decision
- Modify the original sanction based on the severity of the sanction
- Remand the case back to the Office of Student Conduct. If the appeal is based upon the availability of new information and this new information is sufficient to alter a decision, the Vice President for Student Affairs/Dean of Students may choose to refer the case back to the Office of Student Conduct for a new conduct hearing.

Please note: The Vice President for Student Affairs/Dean of Students may not increase the sanction that was assigned in the original conduct conference.

Appeal decisions will be made in writing to the student upon conclusion of the appeal process. Every effort will be made to send follow-up correspondence within fifteen University business days.

Title IX Appeal Process

A Title IX Appeal Chair will review the request and decide whether the request meets grounds for an appeal. The Appeal Chair will not be a member of the previous hearing panel or arbiter.

I. **Grounds for an Appeal:** Appeals are limited to the following grounds:
   a. Procedural irregularity that affected the outcome of the matter;
   b. New evidence that was not available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and/or
   c. The Title IX Coordinator, investigator(s), or arbiter(s) had a conflict of interest or bias for or against complainants or respondents generally or the specific complainant or respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds within this handbook or the Sexual Harassment Policy & Grievance Procedures, that request will be denied by the Appeal Chair and the parties, and their advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in the mentioned documents, then the Appeal Chair will notify the other party(ies) and advisor(s), the Title IX Coordinator, and, when appropriate, the investigators and/or the original arbiters).

For more on the Title IX Appeal Process, visit www.lincolnu.edu/web/title-ix.

II. **Sanctions Status During the Appeal**

a. Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.
b. If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then supportive measures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

Lincoln University may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

III. **Appeal Considerations**

a. Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
b. Appeals are not intended to provide for a full rehearing of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
c. An appeal is not an opportunity for appeal arbiters to substitute their judgment for that of the original arbiter(s) merely because they disagree with the finding and/or sanction(s).
d. The Appeal Chair/Arbiter may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
e. Appeals granted based on new evidence should normally be remanded to the original investigator(s) and/or arbiter(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
f. Once an appeal is decided, the outcome is final. Further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

g. In rare cases where a procedural error cannot be cured by the original arbiter(s) (as in cases of bias), the appeal may order a new hearing with a new arbiter(s).
h. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
i. In cases in which the appeal results in reinstatement to Lincoln University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

Departure from Campus Following Suspension or Dismissal and Request for Reinstatement

I. A student who has been separated from the University for disciplinary reasons shall leave the premises immediately upon notification.
II. A student who has been required to withdraw from the University for disciplinary reasons and who desires to be reinstated after completion of the withdrawal period shall present a request in writing to the Vice President for Student Affairs/Dean of Students or designee.

Amendment

The Vice President for Student Affairs/Dean of Students or designee shall only amend the Code of Student Conduct. Responsibility for proposing revisions to the code is delegated to the Code of Student Conduct Committee consisting of students, faculty and administrators chaired by the or designee.

The Code of Student Conduct Committee shall accept and review recommendations from students, faculty, and administrators regarding revisions of the Code of Student Conduct. The committee shall prepare proposed revisions and forward them to the Vice President for Student Affairs/Dean of Students for approval.

Nothing included above should be construed as a limitation upon the Vice President for Student Affairs/Dean of Students or designee to propose changes without reference to the committee.

Student Conduct Hearing Panel

The President of the University shall annually approve 12 or more people to serve on the Student Conduct Hearing Panel from among the faculty, staff, and community of the University. The Student Conduct Hearing Panel shall have sole authority to determine the issue of responsibility in the cases referred. Three to five Student Conduct Hearing Panel members shall be assigned to hear each case.

Student Conduct Holds

The Office of Student Conduct may place a Student Conduct hold on the records and registration of any student who fails to respond to a student notice. Any pending student conduct matters must be resolved prior to a student's graduation. No student will be allowed to graduate, receive grades, or have transcripts released until pending student conduct files and records matter(s) are resolved.

Student Conduct Files and Records

The file of a student found to have violated University rules shall be retained as a student conduct record for no less than seven years from the date of the student's graduation or from the last day of the last semester the student is enrolled. Student conduct records may be retained for as long as administratively valuable or permanently if the student was expelled, suspended, or blocked from re-enrollment and/or in situations that may result in future litigation.

Complaints of sexual harassment or sexual misconduct may result in the development of a file in the survivor's name. This file shall be retained for no less than seven years from the survivor's graduation date or from the last day of the last semester the student is enrolled. These files may be retained for as long as they are administratively valuable.

Students may have access to the information in their file by submitting a written request to the Office of Student Conduct. The access will be provided in accordance with federal and state laws regarding the privacy of educational records and University policy.

Dining Services Policies

All Lincoln University students are expected to comply with specified rules and regulations governing dining facilities on campus. Failure to do so may result in a referral for disciplinary action.

I. **Food Service Rules:**

a. All persons are expected to form a line at the dining entrance as they arrive, and no one will take a position other than at the end of the line. Food, dishes, silverware, or other equipment may not be taken from the cafeteria without the written permission of the management. Students are prohibited from entering the kitchen and service areas.
b. All food and beverages must be consumed in the dining facility.
c. Dining Services reserves the right to not serve patrons who do not have appropriate attire.
d. Students are expected to display proper behavior when using the dining facilities. Prohibited behavior includes but is not limited to sitting on tables, standing on chairs, playing music loudly and disrespecting dining hall personnel.
e. Persons who fail to cooperate with Dining Hall personnel or to comply with cafeteria regulations may lose their Dining Hall privileges without reimbursement.
f. A student identification card may not be used by anyone other than the person to whom it is issued. Students who use another person's identification card or students who allow others to use their identification card may be charged with fraud.
g. Proper attire, including shirts and shoes, must be worn in all dining facilities. Students who fail to dress appropriately will be denied access.
h. Only valid identification cards, cash or credit cards will be accepted in the cafeteria. Notes will not be accepted for students who have lost or misplaced their identification card.

II. **Attire listed below ae examples of appropriate attire**.
   a. Pants must be of appropriate fit, neither too tight nor too loose
   b. No sagging pants, dresses, and skirts
   c. The tops and shirt must have conservative necklines
   d. Clothing must not advertise or suggest inappropriate messages (weapons, profanity, or sexual innuendos)

Residence Hall Community Standards and Expectations

Students that are living within University housing are expected to make a strong commitment to caring for the community in which they live. The cleanliness, beauty, and enjoyment of our residence halls and other properties are enhanced when residents report destructive acts, unsafe conditions, or questionable persons within the buildings. Students suspended from the University due for academic or conduct violations are prohibited from residing in the residential halls. Students must be readmitted to University in order to qualify for campus housing.

All unmarried first-year students under 21 years of age and whose primary domicile is beyond a 60-mile radius of the University are required to live on campus for four (4) consecutive semesters.

International students under the age of 21 are required to reside in campus housing for four (4) consecutive semesters.

Transfer students under the age of 21 and whose primary domicile is beyond a 60-mile radius of the University are required to reside in the campus residence halls for the remainder of four (4) consecutive semesters, e.g., students who lived on campus at another institution for one (1) semester are required to live in the campus residence halls for three (3) semesters.

Violations of the following Community Living (CL) policies may result in disciplinary sanctions that may include, but are not limited to, fines, probation, suspension, termination of housing, expulsion, and/or referral for prosecution.

While the term "residence halls" is used, these rules are equally applicable to all University-owned or managed accommodations, including but not limited to any off-campus houses, apartments, shared home spaces, and any other type of domicile meant to house students, faculty, or staff.

CL1. **IMPLIED CONSENT**: All residents in an apartment/room/lounge/area will be held responsible for their behavior and for any /objects in that apartment, room, lounge, or area. In addition, any resident who witnesses a policy violation can be held responsible, even if that resident is not specifically participating in the violating act or in possession of an item/object which violates this policy. This is called implied consent. Residents that witness inappropriate behavior or housing violations are expected to leave the area and report the situation immediately to housing staff.

CL2. **CHRONIC MISBEHAVIOR**: Residents who establish an unacceptable pattern of misconduct and are frequently in trouble, even if the offenses are minor, may be considered to have chronic misbehavior. A pattern of resistance, irresponsible conduct, or manifested immaturity may be interpreted as a significant disciplinary problem. At the University's discretion, such a pattern of behavior may result in an eviction.

CL3. **GUESTS**: Residents are responsible for their visitors'/guests' behavior and will be held accountable for their compliance with all of the Community Living policies as well as applicable rules and regulations. If a resident allows someone access to residence halls, including stairwells, lounges, lobbies, elevators, common areas, or assigned spaces), they are considered that resident's guest. Guests/Visitors are to be escorted at all times by the resident and may not stay alone in any area of the residence hall without the resident present. Visitors/guests must be in good standing with the University and local authorities to be allowed to visit. Individuals that have been asked to leave residence halls due to withdrawal or deregistration, individuals on suspension or probation, individuals expelled or previously evicted, or students currently being adjudicated by Student Conduct are not allowed to be guests of visitors of others in residence halls.

CL4. **VISITATION**: The University reserves the right to revoke or change visitation rules in all or any residence halls where there are concerns of behavior deemed by the University to be detrimental to the health, safety, welfare, privacy and/or security of residents or damage to the residence halls. The University similarly reserves the right to revoke or change visitation rules for individuals or ban individuals from the residence halls when deemed necessary. The following are the guidelines for visitation in the residence halls:

- There is no overnight visitation
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- There is no visitation during move-ins, move-outs, breaks, mid-terms, and final exams.
- Visitations do not start until the third Monday after the residence halls open each semester.
  - **Designated Visitation Hours:**
    Sunday to Thursday: 5 p.m.-11 p.m.
    Fridays and Saturdays: 5 p.m. – 1 a.m.
- Residents may choose to limit visitations in their own rooms. This can be done with a "**Roommate Agreement**" filled out by involved parties.
- Residence hall committees and/or councils, with the approval of the Office of Residential Life, may elect to reduce or eliminate visitation.
- If a residence hall desk is closed, there is no visitation allowed at that time unless a residential staff member is contacted and agrees to process the visitation.

Visitors:

- Must meet their host at the front desks or outside the residence halls.
- Must be able to provide Lincoln University ID or government issued photo identification such as a drivers' license or passport. This id will be held at the front desk during the hours of visitation.
- Must always remain with their hosts and be escorted by the host including to gender appropriate restrooms.
- Must be signed out by 11 p.m. or 1 a.m. depending upon the visitation schedule.
- IDs will be returned once the visitor has been signed out in the **"Visitation Log."**

Hosts:

- Must be a resident of the residence hall the visitor wishes to enter.
- Are limited to ONE (1) guest at a time.
- Must meet their visitor either at the front desk or outside of the residence halls.

- Must always remain in the presence of their guest**. Unescorted visitors will be required to leave immediately.**

CL5. **COHABITATION/SQUATTING:** Cohabitation is not permitted in residence halls. Cohabitation is defined as an unassigned individual physically residing in a resident's room on a permanent or semi-permanent basis. Squatting is the action of occupying an area or a building, usually residential, that the squatter does not own, rent, or otherwise have lawful permission to use.

Residents that allow individuals access to live in the residence halls without a contract or permission from the Office of Residential Life may be subject to eviction, charges for the used space. Unauthorized individuals found cohabitating may be subject to prosecution and trespassing charges. Students that encounter an unauthorized individual(s) must contact the Resident Director and LUPD immediately.

CL6. **FIREARMS/WEAPONS:** Possession, use of, and/or having as decoration any form of weapon is prohibited in the residence halls. Weapons include possessing or carrying, whether openly or concealed, any gun; rifle, pistol, revolvers, BB or pellet guns; slingshots; martial arts devices; clubs; missile projecting weapons; explosives; ammunition; fireworks; knives; leaded cane; blackjack; metallic knuckles, or any other weapon of like kind. Facsimiles, dancing canes, pepper spray and any other self-defense chemical sprays, like mace, also may not be used in manner that is injurious or dangerous to others.

CL7. **ALCOHOL:** Possession, distribution and/or consumption of alcoholic beverages is not allowed within or around the residence halls whether in public or private areas. Alcoholic containers are not allowed, even as decoration in the residence halls. Drunken behavior that infringes on the rights of others to a quiet, orderly living environment is not acceptable even if the alcohol was consumed off campus. Alcohol distributed to minors will involve LUPD and possible criminal charges.

CL8. **DRUGS AND ILLEGAL SUBSTANCES:** Possession, distribution, manufacturing, and/or consumption of drugs and/or illegal substances, including marijuana, and products such as food (or edibles) and tinctures that are infused with cannabis, cannabinoids, or cannabis concentrates is prohibited. This includes possession of any drug paraphernalia (whether used or for decoration purposes) and/or any item used to facilitate the illegal use, manufacturing, or distribution of drugs. The University may confiscate and retain for evidence any such drugs or paraphernalia found in possession of a student or in his/her living space. Even medical and religious-related items are not allowed and will be removed by staff if found. Hookahs are specifically prohibited. Prescription medication shall be considered an illegal drug if found not to be prescribed to the resident in possession of it. The possession, distribution, manufacturing, and/or consumption of counterfeit drugs also is precluded on University property.

CL9. **SMOKING:** Smoking is prohibited on campus, including in all residence halls. This includes all breezeways, patios, and walkways and within 15 feet of any exterior door or window. Smoking includes the use of vaping products, pipes, cigarettes, cigars, bongs, and any other item that may be used for the purposes of smoking tobacco, marijuana, or alternate plant materials. Signs of smoking in any housing units may result in a **$150 fine**. Continued smoking violations

may increase the fine as well as subject violates to paying for the cost to paint the room and clean carpets.

CL10. **HAZING:** All forms of hazing are prohibited in and around the residence halls. Residents may not knowingly engage in hazing either as a perpetrator or a recipient. Residents may not encourage, aid, or assist anyone in the act of hazing. Residents are obligated to report hazing to residential staff. A description of the elements of hazing may be found in previous sections of this handbook.

CL11. **HARRASSMENT AND ABUSE**: Residents are to treat all neighbors, room/suite mates, visitors, staff, maintenance staff, custodial staff, University officials, and others with courtesy and respect. Verbal abuse will not be allowed including swearing, name-calling, or any language offensive or demeaning to another person. Assault and physical violence of any type will not be tolerated. Activities or behaviors of a sexual nature that is unwelcomed, denies, or limits a person's ability to participate in or benefit from the University's education programs or activities, is a form of sexual harassment. This behavior is a violation of the University's Sexual Harassment Policy. Residents are encouraged to report harassment or abuse to residential staff or, if of a sexual nature to the Title IX office.

CL12. **HORSEPLAY**: Residents are prohibited from horseplay activity, which includes, but is not limited to water guns, water balloons, water fights, mud fights, snowball fights, roughhousing, mock fights, and other activities that might damage persons or property or escalate to situations of actual fighting. Running within the residence halls, screaming, or other boisterous activity is also not permitted. Riding bicycles, skateboards, roller blades, scooters, and other such items in the residence halls is also prohibited.

Sports activities, such as playing ball inside the residence halls, are also prohibited, and considered horseplay due to the possibility of injury and damages.

CL13. **PRANKS:** Pranking or playing a practical joke on another person is considered a form of harassment and can lead to injury, inappropriate behavior and acts of retaliation that can be detrimental to the community. This being the case, any type of pranking is prohibited in the residence halls.

CL14. **STEALING**: Stealing or attempted stealing, unauthorized possession, misuse or wrongful appropriation, vandalism or malicious destruction, or sale of property belonging to the University, an organization, or a member of the University community (student, faculty, staff and/or visitor) is prohibited. LUPD will become involved and criminal charges may be brought.

CL15. **GAMBLING:** All forms of gambling in which money or items of value are exchanged are prohibited within or around the residence halls.

CL16. **BARBECUE GRILLS:** Personal barbecue grills are not allowed in the residence halls or surrounding areas. Similarly, items such as charcoal, briquettes, and flammable fluids are not allowed in residence halls.

CL17. **OPEN FLAMES AND FLAMMABLES:** Incense burners, candles, illumination devices, lanterns, grills, smoking, and other items/behaviors that require an open flame are prohibited in the residence halls. Flammable liquids may not be brought into, used, or stored in the residence halls. This includes, but is not limited to flammable oils, gasoline, kerosene, naphtha, benzene, butane, compressed gases in canisters, explosives or other material deemed hazardous. Fireworks are also prohibited.

CL18. **WARMERS AND BURNERS:** Cooking devices such as burners, electric grills, toaster ovens, and hot plates are not allowed in the apartments/rooms of the residence halls. Residents are required to perform such cooking in the communal kitchens of the residence halls. Microwaves and mini fridges are allowed.

CL19. **ELECTRICAL**: Residents may not have halogen lamps, octopus lighting, overloaded outlets, or extension cords. Residents may have UL approved multi-plug power strips with a reset button. All cords, plugs, or octopus' outlets are not allowed and will be immediately confiscated. Space heaters, electric fireplaces and similar devices are not allowed as well and will be confiscated immediately.

CL20. **SPRINKLERS:** Residents are prohibited from touching, hitting, or hanging any items from the sprinkler heads. This may cause the sprinkler system to deploy, and residents will be fully responsible for all damages if this occurs whether accidental or intentional. Residents are required to inform residential staff of sprinkler heads that may appear to be leaking or bent.

CL21. **SMOKE DETECTORS:** Residents will be fined **$75 each** for every smoke detector in their apartment/room that is tampered with or made inoperable, including by removal of the battery, placing a bag or dryer sheet on it, removal, or otherwise kept from functioning properly. Repeated offences may result in higher fines or sanctions such as eviction. Residents are expected to report any malfunctioning or dead battery immediately to the residential staff.

CL22. **SURVEILLANCE:** At various locations, there are alarm monitoring and video cameras in place. These are not in place to stop an event in progress. Disruption or blocking of these surveillance devices is prohibited and there is no guarantee they will always be available or working. Residents should not rely on these systems but should exercise caution for their own safety. Only University staff, authorized security personnel, and LUPD will have rights to access or view this surveillance.

CL23. **FIRE ALARMS** – Residence halls have fire alarms installed in the buildings. Residents and any visitors/guests are required to immediately leave the building (this includes real alarms, false alarms, and fire drills) when the system sounds. Residents must evacuate to a designated spot away from the building and await instructions from residential staff. Residents may not reenter the residence hall until authorized by the residential staff or fire department, even if the alarm is no longer sounding. Failure to leave may have sanctions such as a fine. EXCEPTION: Residents are not required to leave if there is a test of the fire alarm system and have been notified by the University officials in advance of the test.

CL24. **FALSE ALARMS**: Residents who knowingly cause a false alarm may be subject to fines and criminal prosecution. If the fire department or police department fines the University for

repeated false alarms, the charges will be passed on to the resident(s) responsible. Residents may not tamper with any component of the building life safety equipment. Residents who do so may be subject to eviction, criminal prosecution, and/ or any charges for damage to the residence halls.

CL25. **ELEVATORS:** Tampering with elevators, including falsely sounding the alarm bell, misuse of emergency phones, forcing the doors or otherwise hindering or threatening elevator operation is extremely dangerous and prohibited. Any person engaging in such activity will be treated accordingly and could be subject to prosecutions and/ or eviction.

CL26. **INSURANCE:** The University is not responsible for acquiring and maintaining insurance that covers the residents' personal property or self. The University is not liable to residents or any guests for any damage, injury, or loss to person or property. **Residents are encouraged to obtain their own insurance or seek coverage**, if applicable, under legal guardians' insurance.

CL27. **ILLNESS:** As residence halls have a great number of individuals living together in close proximity and using the same infrastructural facilities, it is important to report to the residence hall director and Student Health Service all cases of illness or accident. A resident leaving the residence hall for treatment at the Student Health Services Center should report to the resident director or staff assistant if possible. A resident with a contagious condition may be moved temporarily to a quarantined room or be asked to leave campus until the contagious period has ended.

CL28. **HOVERBOARDS:** Hoverboards are not allowed in residence halls.

CL30. **FALSE OR WITHHELD INFORMATION:** In matters of safety, residents are expected to provide to residential staff, LUPD, the Office of Residential Life, Student Conduct, and other University staff correct and complete information. Knowingly providing false information or withholding information is prohibited. This includes falsely reporting a fire, bomb threat, or other emergency.

CL31. **IDENTIFICATION:** Residents are expected to carry their University ID with them at all times, including in the residence halls. Residents must provide the student identification to a University official, faculty or staff, or LUPD officer when asked. Residents must report lost or stolen IDs immediately and ensure a replacement is obtained.

CL32. **DECORATIONS:** Residents are encouraged to make their residence halls feel more like home and may bring in decorations or extra furniture to do so. However, there are restrictions on decorations to help comply with fire codes, prevent damage to the residence halls, and to comply with safety regulations:

- Residents may not deface walls with writing, painting, nails, screws, tacky putty, or glue.
- Residents may not use stickers or decorations with adhesive backs such as glowing star decorations.
- Residents may not use decorations that use tape or adhesive not meant to be removed. Residents are encouraged to use 3M tape damage-free command tape or 3M hooks to hang posters or pictures.
- Residents may use tacks or push pins but not in an excessive amount or on doors, cabinets, or furniture.

- Residents may not cover windows with aluminum foil, flags, decorative window film, stickers, plastic, or other items for decoration, insulation, or other purposes. Residents may not hang, stick, or erect anything in, on, or about any windows that can been seen from the outside. The blinds provided should be the only thing visible on the outside of windows.
- Residents may hang additional curtains or window treatments with tension rods that can be removed without damage.
- Residents may not erect awning, window guards, planters, or antenna.
- Residents may not decorate with live holiday trees.
- Residents may not decorate with carved or uncarved pumpkins, gourds, or other plants that may rot and attract insects or rodents.

CL35. **ROOM INSPECTIONS:** Maintenance, property inventory, safety and sanitation inspections will be held monthly by designated residential staff. Every effort will be made to conduct such inspections while the assigned resident is present. At that time, the resident will be fully apprised of his/her rights and of the purpose of the inspection.

Unannounced safety inspections will be conducted at the discretion of the Director of Residential Life with the assistance of LUPD and residence hall staff. Any banned or prohibited item(s) found in a resident's room are subject to University and/or legal sanctions. Fines may also be assessed for violation of the housing rules and regulations (e.g., tampering with a smoke detector, etc.). Charges may be filed against a resident by the LUPD when they are in violation of the law.

CL36. **SOLICITATION:** Solicitation and the selling of items by residents, organizations, or non-residents without prior written permission from the Office of Residential Life is prohibited within the residence halls. This includes running a business or store in which goods or services are exchanged for money, goods, or services. Going door to door, posting flyers or other items without University permission, and distributing pamphlets or other materials is considered solicitation as well.

CL37. **MAIL:** Resident Directors (RD) will pick up all letter mail and deliver conveniently to each residence hall. Letters are then distributed to residence halls and placed in mailboxes. Packages for residents may be picked up in the mail room located at Shipping & Receiving 1002 Chestnut Street, Jefferson City, MO 65101. (Located next to the Softball Field). Please provide your Student ID at the time of pick-up. The University is not responsible for any returned or damaged mail.

CL38. **POSTINGS IN RESIDENCE HALLS:** No resident, organization, University entity, non-resident, or other entities or individuals may post flyers, advertisements, or other items without the express permission of the Office of Residential Life. In order to be approved to post items in the residence halls the following guidelines must be adhered to:

- All materials posted must be approved by the Assistant Dean of Housing and Residential Life or the authorized designee.
- The materials must be stamped or initialed by the Assistant Dean of Housing and Residential Life or the authorized designee.
- The materials will be posted in approved areas by the residential staff themselves.
- The number of materials may be limited in number based upon the size of the residence halls.

- Posters must utilize appropriate 3M adhesive products such as masking tape or blue painters' tape, which must be provided to you. **Duct, Scotch, electrical or packing tape and putty tack are prohibited.**
- Chalking of University property is prohibited.
- Postings or banners are not allowed on outside doors or windows.
- No materials may be suspended from, attached to, or draped from the ceiling.
- Materials promoting or displaying any tobacco, alcohol, or manufacturers of such items, illegal drugs, marijuana or use of offensive language or pornographic images will not be posted.
- Materials posted without permission will be taken down.
- Materials posted will remain up for no more than two weeks.

CL39. **FAILURE TO COMPLY:** Residents must comply with all written and verbal requests and instructions from residential staff and University officials.

CL40. **LOITERING:** No one shall be permitted to loiter in any of the common areas or parking lots outside of the residence halls.

CL41. **PETS:** There is a strict no pet policy in the residence halls. Service animals are not pets and have their own requirements and regulations. Contact the Office of Residential Life for more information.

CL42. **SERVICE ANIMALS:** Service animals and Emotional Support Animals will be allowed pursuant to applicable law. All animals must be registered and approved by the Office of Access and Ability and Office of Residential Life **before** the animal is brought on campus. The University reserves the right to place size and species restrictions on animals as well as ban any that cause a health or safety concern or do not meet the definition of service or support animals pursuant to applicable law. Similarly, the University reserves the right to ban animals displaying destructive behavior, illness, disruptive behaviors, noise violations, or unclean conditions. The University will not charge an extra deposit for service or support animals but may require additional cleaning or damage costs if the animal damages the residence halls. Contact the Office of Residential Life for more information.

CL43. **MINOR CHILDREN:** Residence halls are learning environments and any children of visitors/guests must be supervised by an adult at all times.

CL44. **MARRIED STUDENTS:** The University does not have facilities for married students and/or families.

CL45. **VANDALISM:** Participation in activities that cause damage to public or private property is prohibited. Residents can be held responsible for any replacement cost, cleaning fee, and/or repair costs as designated by the University. Vandalism includes, but is not limited to, graffiti, tampering with fire equipment, destruction of property, misuse of equipment, and other activities that purposefully cause the need for cleaning or repairs.

CL46. **WINDOWS AND SAFETY:** Residents are prohibited from removing window screens and/or dropping or hanging items out of windows. Residents may not walk on or place any item on

ledges. Residents may not tamper with or remove security features that prevent windows from opening all the way.

CL47. **NOISE:** Residents must be respectful of the rights of others and help maintain an environment conducive to learning within the residence halls. High volume sounds from televisions, gaming systems, home or car stereos, tape decks, computers, and musical instruments are prohibited. If another person can hear the resident's stereo, voices, or any other form of sound from outside the assigned space, door, window, or through the walls/floor/ceilings, then the resident is infringing on the rights of others. Headphones are strongly encouraged. Repeat offences may result in the student being required to remove the equipment or instrument permanently from the residence halls.

CL48. **COURTESY HOURS**: Residence halls have 24 courtesy hours per day, including during breaks, on non-class days, and other University closures. Courtesy hours can be defined as conditions under which noise will not be disruptive or disturbing to either students or staff. If asked to discontinue a noise by fellow residents or residential staff, the resident must comply.

CL49. **QUIET HOURS:** Quiet hours are defined as conditions under which no controllable noise is discernible from an individual, a residence hall room, study lounge or living corridor. Quiet hours exist within each residence hall as follows:

- Weekdays 8:00 p.m. - 10:00 a.m. (Sunday through Thursday)
- Weekends 10:00 p.m. - 10:00 a.m. (Friday through Saturday)
- During the semester final exam period, 24- hour quiet hours begin at 12:00 midnight on the Friday preceding the exam week and remain in effect until the close of the semester.
- On long vacation weekends (e.g., a Monday holiday), the weekend hours will be in effect until the night before classes begin.
- Weekday quiet hours do not change for mid-week holidays (e.g., Veteran's Day) or during break housing periods.

Failure to abide by established quiet hours will result in disciplinary action.

CL50. **ROOMMATE AND NEIGHBOR COUNSELING:** Conflicts occur due to a lack of communication between people and resistance to compromise. All residents agree to follow the ROOMMATE/NEIGHBOR CONFLICT RESOLUTION process:

- The complaining resident discusses the problem with residential staff; staff will give tips on how to talk with the roommate/neighbor; the complaining resident addresses the concern directly with the roommate/neighbor.
- Residential staff will follow up with the complaining resident. If the problem remains, a resolution meeting will be held among apartment/neighbors and residential staff. A roommate/neighbor contract may be formulated to help negotiate a compromise and a **"Roommate Agreement"** may be required to be filled out by involved parties.
- Residential staff will follow-up and revise the roommate/neighbor contract if needed.
- Only after residential staff feels that the roommate/neighbor resolution process has been given a chance will changes in assignments be considered. Failure to get along is not grounds for terminating a housing contract.

In order to encourage roommates and neighbors to get along, there is a room change freeze for the first **30 days** of each academic semester as well as the summer term.

CL51. **COMMUNAL KITCHENS:** Residents are responsible for the cleaning and proper use of the communal kitchens in residence halls that have them. These areas are a privilege and the use of them may be revoked or altered by residential life staff as deemed necessary. Residents must immediately clean up after each use, not leave appliances in use unattended, not use the equipment for anything other than cooking food, not leave burners on, and whenever possible try to prevent the burning of food. Residents that do not follow the expected guidelines for proper use of the kitchens may be subject to a **$100 fine** and/or loss of privileges.

CL52. **COMMUNAL LOUNGES AND STUDY ROOMS:** Lounges and study rooms are provided and maintained for the mutual use and enjoyment of residents. Lounges and study rooms may not be reserved without the permission of the resident director or Director of Residential Life. Events held specifically by residents must be approved by the resident director and these events must adhere to all rules and regulations. Neither money nor items of value may be exchanged or collected for participation in these events. The University reserves the right to shut down such events for any reason deemed necessary and at the discretion of the residential staff.

Individuals responsible for causing damage in these areas and other areas of the residence halls will be assessed repair or replacement charges. If specific individuals cannot be identified for damages, the University may choose to assess charges to all residents of the wing, floor, or building deemed responsible.

CL53. **NOTICES:** Residents will receive notices about policy changes, rules and regulations, residence hall procedures, and other items in a number of ways. This may include flyers, bulletin boards, door postings, letters left in assigned bed spaces, or messages sent to residents Lincoln University e-mail accounts. It is the resident's responsibility to read and adhere to these notices and to check the email account daily. Failure to read the notices does not relieve the resident of the obligation to comply. Residents may ask for clarification of notices from residential staff as well as the Office of Residential Life.

CL54. **KEYS:** Room keys and card access may not be transferred or duplicated. Residents are responsible for returning all keys upon termination of contract. Room keys that are not returned, or that have been reported lost or stolen, constitute a security risk and will automatically result in a lock being rekeyed. Lock rekeying will be completed at the student's expense. During the Winter Break, all keys must be turned in at the front desk of the residence hall. Any keys not returned will result in a charge being placed on the student's account of not less than **$180 per key**. If a lock change is deemed necessary, the resident or residents responsible will be charged an additional **$50** for the lock change.

CL55. **TRESSPASS:** Residents may not access or make use of any area of the residence halls that have not been assigned to them and are not considered common areas of an apartment or room. Similarly, residents may not use the empty apartment, room, bed, closet, dresser, desk, etc.... that is currently empty awaiting placement of a student. Furthermore, **residents may not provide to another individual their own keys, access card, or access codes** to any area of the residence halls.

CL56. **ROOM ASSIGNMENTS:** Residents may only occupy bed space assigned to them. Residents are not allowed to change assignments on their own. A change in room assignment is made only through re-assignment by the appropriate resident director, as approved by the Director of Residential Life. A **"ROOM CHANGE REQUEST FORM"** is available from the resident director or Office of Residential Life. Requested room changes may result in prorated room charges depending upon approval. The University also reserves the right to change the room assignment and require the student to move to other accommodations when it is deemed necessary, in which case, the student's account shall be credited or charged with any difference in room rates.

CL57. **MOVE-IN:** A **"ROOM CONDITION REPORT"** will be provided to the resident at the time of moving in. This form must be filled out and returned immediately the same day. The resident must note in writing any defects or damages to the room, fixtures, appliances, and furniture, if any. Otherwise, the assigned space will be considered to be in a clean, safe, and good working condition and the resident will be responsible for defects or damage that occurred during their stay.

CL58. **LATE STAY:** Residential spaces must be vacated, and personal property removed within **24 hours** after the resident's last scheduled final examination /academic commitment or by 2:00 p.m. on the official closing date of the Residence Halls; whichever is earlier. Those residents that are attending graduation or other official university function may apply for a late check out. Residents may fill out a **"Late Stay Request Form"** with the Office of Residential Life at least two weeks before the official closing date of the Residence Hall. There may be a fee associated with any approved official late stay request. Failure to apply for a late stay may designate the resident as a HOLDOVER.

CL59. **BREAK PERIODS:** Residents may apply to stay in the Residence Halls during Fall (Thanksgiving), Winter, or Spring Breaks with a **"Break Stay Application Form"** from the Office of Residential Life at least one week before the official break closing period. There may be a fee associated with any approved break stay request. Failure to apply for a break stay may designate the resident as a HOLDOVER.

CL60. **HOLDOVER:** Unauthorized occupancy after the Residence Halls have closed is subject to sanctions including but not limited to a daily rate charge of at least $100 per day, an Improper Check-Out fine, referral to Student Conduct and/or LUPD. The University reserves the right to take back possession of the assigned space and may change locks and/or move possessions to storage for the resident to collect before disposal after thirty (30) days.

CL61. **CONSOLIDATION:** University Housing has the right to maximize the occupancy of its residence halls in order to make efficient use of the facilities. As such, it may be necessary to consolidate vacancies. Residents without roommates, for whatever reason, may be given the option to designate their room a private, at an additional pro-rated cost, or be placed in a room with other residents needing to consolidate. It is important that the resident retaining their space be courteous and helpful as they welcome their new roommate. The University reserves the right to continue booking residents throughout the year.

CL62. **SUMMER ACCOMMODATION:** Not all residence halls or University owned/managed off campus housing may be open during the academic year. Likewise, some residence halls will be shut down for summer terms. The University reserves the right to change or alter resident assignments or request a residence hall change to accommodate the turn of an entire building.

CL63. **MOVE-OUT:** The resident must check-out with residence hall staff by appointment or using the express check-out method when transferring assigned spaces or when leaving the residence halls for break or end of contract. The resident is responsible to leave the assigned space and common areas in the same condition as when received, i.e., in a good, clean, and sanitary condition, reasonable wear and tear excepted, including removing all trash and returning furniture (as applicable) to its original placement. The resident must also surrender all keys issued by the Office of Residence Life. Failure to clean or return keys will result in charges as will any damage beyond reasonable wear and tear. Failure to properly check out may result in an **Improper Check-Out** fine of at least **$150**.

CL64. **IMPROPER CHECK-OUT:** Any resident failing to properly check out will be charged a **$150 fine** and any applicable fees for room damages and/or lost keys. Proper check out includes the removal of all personal belongings from the resident's room. In the event this does not take place, residence hall staff will inventory, pack, and donate to charity or dispose of the resident's belongings. An additional charge of **$50 per large item** such as a mini-fridge or non-university furniture will be placed on the student account. If items are left on property, any items left beyond **24-hour** time period will be considered trash or abandoned.

CL65. **UTILITIES:** Residents are not allowed to terminate, change, add or alter the utilities or utility providers for any assigned space in any residence hall or University owned or managed off campus property without the express written approval of the Director of Residential Life or designated representative. Residents are also not allowed to affix or have affixed satellite dishes, antenna, or similar devices to the property or grounds surrounding any residence hall or University owned or managed off-campus property.

CL66. **FURNITURE AND APPLICABLE APPLIANCES:** Residents assume full responsibility for items furnished by the University in the assigned spaces. Furniture, appliances, and other items must be returned to the University in as good condition as when received. The resident is responsible for returning all furniture to its original position before leaving. Furniture and other items cannot be removed from the assigned spaces without written consent from the Residence Director. No furniture is to be placed outside of the rooms in any hallways, pathways, walkways, lounges, or areas outside the buildings. Removing any furniture, appliances, or other such items belonging in the assigned spaces will result in sanctions such as a **$50 fine** and/or referral to Student Conduct. Residents are responsible for any damages or cleaning charges. Residents will be held accountable for the costs of repair or replacement, as determined by the University. Furniture, appliances, and other items that are within common areas of the building or assigned spaces may similarly not be removed or moved by the residents.

If such items that belong in common rooms or lounges are found in a resident space, a **$50 fine** and/or referral to Student Conduct will result.

CL67. **MAINTENANCE:** Residents are not allowed to perform any repairs, painting, wall papering, electrical changes, or other alterations. Residents cannot change or add any lock without prior written consent from the Office of Residential Life.

Residents must report any issues to the Residential Staff so that a work request may be submitted, and University vendors may make repairs. Failure to notify staff of needed repairs that result in further damages to the residence hall, may result in sanctions, including but not limited to, the resident being held responsible for costs. Residents must report potential or suspected mildew, mold, HVAC issues, plumbing problems, signs of water leaks, or water infiltration. The University will respond in accordance with state law to repair or remedy the situation, as necessary.

The University reserves the right to, with or without notice, temporarily turn off equipment and interrupt utilities to avoid property damage or to perform work requiring such interruption as determined in its sole judgment. The University will not be liable for any inconvenience, discomfort, disruptions, or interference when making repairs, alterations, or improvements. If the resident requests repairs, they will be done during usual working hours.

CL68. **NETWORK USE POLICY:** Residents are provided use of the internet within the residence halls. Residents take full responsibility on how they choose to use this internet. However, some restrictions will be applied:

- Network resources shall not be used for any illegal or criminal purpose.
- No computer system is to be used as a staging ground to crack other systems.
- Use of invasive software, such as "worms" and "viruses" destructive to computer systems, is unethical and illegal
- Unauthorized attempts to gain root access or access to any account not belonging to the user are prohibited.
- Unauthorized access to restricted databases is prohibited.
- Any user who finds a security hole on any system is obliged to report it to the system administrators.
- Unauthorized access to use, read, of change contents of files not belonging to the resident.
- Sending obscene or abusive messages, cyber bullying, and misuse of one's own account are also provided.
- Password sharing and use of another's account is likewise prohibited.
- Gratuitous consumption of system resources (disk space, CPU time, bandwidth, etc....) will not be tolerated.

The University is not responsible for unofficial uses of computer resources. In particular, e-mail and personal Web pages often express private opinions that do not reflect the University's position.

CL69. **TERMINATION:** Students may only stay in the residence halls and continue to live in residence halls if they are enrolled and attending classes. **A student may not live on campus if they are not enrolled in classes for any reason.** The University reserves the right to terminate housing upon action by the Vice President for Student Affairs/Dean of Students or authorized designee for behavior, including but not limited to, an unwillingness or inability to abide by the terms and conditions of the housing contract, unwillingness or inability to make payments per the established deadline dates, failure to maintain enrollment in the University, and/or engagement in

behavior deemed detrimental to the health, safety, welfare, and/or security of self or other residents. The University reserves the right to terminate housing when the resident has been suspended or dismissed or if a resident fails to maintain full time status, has been **deregistered** for any reason, or has **withdrawn from classes**.

Addendum: SARA Student Consumer Protection & Grievance Policy:

Out-of-state distance education students participating under the State Authorization Reciprocity Agreement (SARA) who wish to resolve a consumer protection grievance must first exhaust Lincoln University's internal student complaint procedures outlined on this page. If a complaint raised by a SARA student cannot be resolved internally, the student may appeal to the Missouri Department of Higher Education and Workforce Development (MDHEWD) or to the State Portal Entity (SPE) of their home state. Grade appeals and student conduct matters fall outside SARA jurisdiction and are governed solely by institutional policy.

Online students living in Missouri should contact info@dhewd.mo.gov. Contact information for all State Portal Entities can be accessed via the official SARA directory:
State Portal Entity Contacts | NC-SARA.

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