

Clarion University
Council of Trustees' Regular Meeting
108 Eagle Commons
Clarion, PA 16214

Thursday, July 19, 2018
7:00 p.m.
Agenda

Pledge of Allegiance

Call Meeting to Order and Roll Call of Board Members

Public Comments

Consent Agenda Chair, JD Dunbar

1. Approval of the Minutes of the Regular Meeting of April 19, and the Special Meetings of May 11 and June 13, 2018 - See Items 1
2. Approval of the SBDC USDA Grant Proposal and Resolution – See Item 2
3. Approval of the Student Code of Conduct and Committee Standards - See Items 3, 4 & 5
4. Approval of the Finance Committee Report for July 19, 2018 – See Item 6

RESOLVED, that the Council of Trustees, Clarion University, approve the Consent Agenda for July 19, 2018.

Remarks of the Council Chair Chair, JD Dunbar

Committee Reports

1. Executive Committee Chair, JD Dunbar
2. Facilities Committee Chair, Randy Seitz

Report of University Advancement Jim Geiger

Report of Finance, Administration and Facilities Len Cullo

1. Status of Facilities Report – See Item 7
2. Grant Awards and Contracts – See Item 8

Report of Student Affairs Susanne Fenske

Report of the Board of Governors	Neil Weaver
Report of the President	President Pehrsson
Report of Academic Affairs	Pam Gent
Report of Faculty Senate	Jim Lyle
Report of Clarion Student Senate	Brianna Shepherd
Other Business	Chair, JD Dunbar
1. Unfinished Business	
2. New Business	

Human Resources – See Item 9

Important Dates

1. New Student Convocation – Friday, August 24
2. Upcoming meetings of the Council of Trustees’ September 20 & November 15
3. Fall semester begins – Monday, August 27
4. Autumn Leaf Festival – September 29 to October 7
5. Fall PACT meeting – October 9, 2018; Spring PACT – April 12, & 13, 2019
6. Winter Commencement – Saturday, December 15

Adjournment

**MINUTES OF THE MEETING OF THE COUNCIL OF TRUSTEES
CLARION UNIVERSITY OF PENNSYLVANIA
THURSDAY, APRIL 19, 2018
ROOM 14B SUITES ON MAIN SOUTH
CLARION PA 16214
Public Meeting
7:00 P.M.**

I. RECORDING OF ATTENDANCE

The meeting was called to order by Chairwoman Dunbar with the following Trustees present:

Mrs. Milissa Steiner Bauer, Vice Chairwoman
Mrs. Susanne Burns
Ms. JD Dunbar, Chairwoman
Mr. Edward Green
The Honorable R. Lee James
Mr. James Kifer, Secretary
The Honorable Donna Oberlander
Mr. Randy Seitz
Mr. Howard Shreckengost
Mr. Neil Weaver, Board of Governors'

The following Trustees were absent:

Dr. Syed Ali-Zaidi

The following members of the University administration attended the meeting:

Dr. Jeff Allen, Dean, Health and Human Services
Mr. Len Cullo, Vice President, Finance and Administration
Dr. Susanne Fenske, Vice President, Student Affairs
Mr. Jim Geiger, Vice President, University Advancement
Dr. Steve Harris, Interim Dean, College of Arts, Education and Sciences
Dr. Todd Pfannestiel, Interim Provost and Academic Vice President

Chairwoman Dunbar indicated that the Council's agenda would be re-ordered to allow for the student-in-the-spotlight presentations.

Ms. Dunbar called on student athlete Christina Sather who recently won a national championship in the 1m Dive, the Clarion junior diver earned another honor when she was named the College Swimming Coaches Association of American Division II Women's Diver of the Year. Ms. Sather spoke to the trustees' about her Clarion experience in swimming and diving and why she chose Clarion University. She was accompanied by Bree Kelley, Women's Swimming Head Coach and Dave Hrovat, Women's Diving Coach.

Ms. Dunbar introduced Logan Chernicky who won the \$10,000 first place prize in the seventh annual Student Business Plan Competition sponsored by PASSHE. Mr. Chernicky described his company, Enhanced Visual, that allows construction site managers to track the progress of their projects using drones and specialized computer software. His mission is to educate, guide and collaborate with companies across industries to cut costs and increase efficiency by leveraging drone technology. We provide our own pilots and specialized services, but also offer consulting and training services by navigating hardware, software and FAA regulations.

Ms. Dunbar called on Jacob Beckey who was awarded a Fulbright Scholarship to study in Birmingham, England, and the recipient of the National Science Foundation fellowship that fully funds his PhD work at University of Colorado, Boulder. Mr. Beckey spoke to the trustees' on his Clarion experience and his future educational plans.

Ms. Dunbar called on Trustee Green who introduced Tree Zuzzio, Student Trustee Nominee. Mr. Zuzzio spoke to the trustees' on his involvement with student organizations and activities at Clarion.

II. PUBLIC COMMENTS

None.

III. APPROVAL OF CONSENT AGENDA

Ms. Dunbar presented the items on the Consent Agenda:

1. Approval of the Minutes of the Regular Meeting of February 9, 2018 and their March 15, 2018 Special Meeting
2. Approval of the Faculty By-Laws and Constitution
3. Approval of Fees for 2018-2019

RESOLVED, that the Council of Trustees, Clarion University, approve the Consent Agenda for April 19, 2018.

A motion was made by Mr. Green, seconded by Mr. Kifer and Mr. Weaver simultaneously, to approve the Consent Agenda. The motion carried unanimously.

IV. REPORT OF THE PRESIDENT

Mr. Fackler reported to trustees' the end-of-the-academic year activities including, the upcoming theater performance *Evening of Dance has a Broadway Theme*, Campusfest 2018, Minority Student Recognition, Ernies Athletics Awards, Reinhard Awards, and the chancellor candidate interviews.

He announced that Dr. Pam Gent has accepted the interim provost position. Her appointment will be effective at the end of May 2018.

Dr. Ray Feroz reported that on February 12 Clarion hosted an Opioid Conference "Communities in Crisis – PA Opioid Epidemic." He added that the Opioid Certificate program is taking off. Clarion was awarded \$100,000 grant from Appalachian Regional Commission for its Opioid Treatment Specialist Certificate Tuition Assistance Project.

V. REPORT OF THE BOARD OF GOVERNORS

Trustee Weaver reported that the BOGs recently met at Shippensburg University and plan to rotate their monthly meetings at other state system institutions. He noted they are working to change and clean up system policies. A few policy changes he noted were to have interim and president appointments approved at the university level, capital funding adjustments, and the sale of real property. The Board's goal is to move delegations, as such, back to the universities.

VI. REPORT OF ACADEMIC AFFAIRS

Dr. Pfannestiel noted that this is his last report to the trustees. He has been working with President Fackler on tenure track faculty. Several committees have been reviewing guidelines to approve hiring practices and also the future plans with Venango campus. He stated that Dr. Pam Gent has been a critical member of the committee for the online programs and assuring we apply all the policies and laws.

He has been working with President Fackler on college affordability for students. He added that it is a critical issue that we face here at Clarion. Also, college work-study positions for students who are in financial need, along with, getting textbooks under control and affordable. He noted that we have a good working relationship with faculty and leadership.

Dr. Pfannestiel brought forward for Approval of Proposed Renaming of the College of Health and Human Services. He explaining with the transition of the Psychology Department into this college there is a need for the renaming.

A motion was made by Mr. Seitz, seconded by Ms. Bauer, that the following resolution be approved. Motion carried unanimously.

RESOLVED, that the Council of Trustees, Clarion University, approve modifying the name of College of Health and Human Services to become the College of Health Sciences and Human Services, effective May 14, 2018.

VII. REPORT OF FACULTY SENATE

Dr. Adam Roberts, Chair of Faculty Senate, mentioned some of Faculty Senate's accomplishments this past year including the Curriculum Committee has completed their revisions as well as revisions to the academic policies. They will be hosting the faculty retirement reception on May 2. Finally, he wished Dr. Pfannestiel the best in his new position.

VIII. REPORT OF UNIVERSITY ADVANCEMENT

Mr. Geiger reported that one of our donors gave \$50,000 for a new scholarship award and the same donor recently contributed another \$50,000 to help students in need. He thanked Trustee Burns for hosting the kick-off fundraising event in her home in Florida. We received donor gifts at this event.

IX. REPORT OF STUDENT SENATE

Katie Welsh, President of Student Senate, reported that Senate received 37 applications for the new scholarship opportunity sponsored by Follett. They will be participating in the Reinhard Awards on April 25, recently recognized three new student organizations, and next week new officers will be announced.

X. REPORT OF FINANCE, ADMINISTRATION AND FACILITIES

Mr. Cullo stated that he provided his budget presentation to the trustees at the workshop earlier this afternoon. He is confident that we are in line with our budget to break even or better by the completion date for Tippin renovations on September 4, 2019. He recently hired a new facilities director.

XI. REPORT OF STUDENT AFFAIRS

Dr. Fenske thanked the students who were in attendance at tonight's meeting and introduced the student senators. She thanked Trustee Green and Katie Welsh for their service over the last year.

Dr. Fenske reported that Student Affairs is working on several summer projects that she will report at the July meeting. She updated the trustees that the Counseling Center staff has rendered considerable efforts, this has eliminated the waitlist for students to see a counselor. She thanked the trustees for approving the student fees and meal plans and explained that counseling services is one area student fees support.

XII. REMARKS OF THE COUNCIL CHAIR

Chairwoman Dunbar reported on the trustees' subcommittees stating that Randy Seitz will replace Howard Shreckengost as the trustee representative on the Foundation Committee. She asked Trustee Bauer to report on the April PACT meeting and the Extended Presidential Search Committee.

Ms. Bauer reported the areas that were emphasized at PACT included the allocation for state appropriations, the provision of the best affordable education to our students, and update of the system policies. Particularly, the guidelines for approval of academic programs. Trustee Green reported on the student sessions he attended at PACT. The Fall PACT meeting will be held October 9, 2018.

As Presidential Search Committee Chair, Ms. Bauer noted that the Extended Presidential Search had 80 additional applicants apply in the second round. Interviews will take place this week and we are looking to invite three new candidates along with the candidate who will continue from the first round to come to campus. A special thanks to Ann Jamison for her hard work as coordinator of the search committee.

Chairwoman Dunbar encouraged trustees to participate in the dinners with the candidates. A Special Meeting of the Council of Trustees has been scheduled for Friday, May 11, 2018, 2:30 p.m., to consider the Search Committee's recommendation for the Selection for Continuing Candidates to the Chancellor and Board of Governors for Position of University President.

XIII. COMMITTEE REPORTS

1. Executive Committee

Chairwoman Dunbar announced that the Trustees' Executive Committee met on April 6 and the minutes will be distributed.

2. Nominating Committee

Trustee James reported on the Nominating Committee that met earlier to discuss the candidates for officers for the upcoming year. He consulted with the current three officers and they all expressed a desire to keep their

current role for another year. He proposed the slate of officers for the 2018-2019 year are: Chair, J.D. Dunbar, Vice-Chair Milissa Bauer, Secretary James Kifer.

A motion was made by Mr. Weaver, seconded by Mr. Shreckengost, that the slate of officers be approved. Motion carried unanimously.

XIV. NEW BUSINESS

1. Trustee Seitz announced that he will be scheduling the annual facilities tour and asked that the Facilities Committee to look at their schedules for May and June.
2. Mr. Kifer read and presented a Resolution of Appreciation for Trustee Edward Green:

WHEREAS, Edward J. Green has been a member of the Council of Trustees of Clarion University of Pennsylvania since November 8, 2016, and successfully concludes his service as a member of the Council upon his graduation from the University with the degree of Bachelor of Arts in Political Science on May 12, 2018; and,

WHEREAS, Mr. Green, throughout his tenure on the Council of Trustees, has consistently manifested a mature, informed, and responsive understanding of the role of Council in the governance of the University; and,

WHEREAS, Mr. Green achieving an admirable melding of his role as an advocate of student interests with his responsibility for directing his judgment and influence toward the concerns and challenges of the whole institution; and,

WHEREAS, in addition to his service on the Council of Trustees, Mr. Green has applied extraordinary talents, integrity and thoughtful consideration in steadfast dedication to Clarion University students and outstanding leadership to campus organizations, including the Clarion University Student Senate, Clarion Student Association, Academic Advisory Task-Force, Conduct Board and Come Together Clarion; and,

RESOLVED, that the Council of Trustees of Clarion University of Pennsylvania expresses appreciation to Edward J. Green for his loyal and effective service as a member of the Council and for his zenith volunteerism, teambuilding and leadership as Chair of the Student Trustee Selection Committee and for his stellar achievement as a student leader and extends to Mr. Green its very best wishes for continued success and

happiness; and,

BE IT FURTHER RESOLVED, that this Resolution is fondly rendered for said Student Trustee Edward J. Green with our earnest wishes for his continued success and leadership and shall be made a formal record in the minutes of the Council of Trustees April 19, 2018.

3. Chairwoman Dunbar read and presented a Resolution of Appreciation for Dr. Todd Pfannestiel:

WHEREAS, Dr. Todd J. Pfannestiel has had a distinguished and respected roster of academic and leadership services to Clarion University as a professor and Chair of the History Department, Chair of the Education Department, Director of Liberal Studies and Curriculum Development, Director of Planning, Assessment, and Improvement, Dean of the College of Arts, Education and Sciences, Acting President and Interim Provost and Vice President of Academic Affairs since August 1998.

WHEREAS, in each of his roles, Dr. Pfannestiel worked assiduously to provide students and faculty with zenith caliber academic programs and services with a commitment to compassion, mutual trust, respect, civility, collegial shared governance, teamwork, and the general welfare of the institution; and,

WHEREAS, Dr. Pfannestiel championed the collaboration of staff and faculty in discovering new programs and refined processes to enhance student success. His enduring commitment and constancy to our students and to the institution has been a catapult for interdisciplinary curriculum developed across colleges and departments. Such collaboration of efforts resulted in the "Center for First Year Experience," one of many transcendent imprints.

WHEREAS, Dr. Pfannestiel's diversity initiatives created a multicultural environment for students, faculty, and staff in his recruiting efforts to bring students from Latino populations in Florida to our teacher certification programs, which assisted in the growth of the university's diversity population.

WHEREAS, Dr. Pfannestiel was named the 2017 Faculty of the Year by the Student-Athletes. His contributions to the Intercollegiate Athletic Programs toward student excellence exemplifies a central value of Clarion University as unyieldingly courageous and confident.

WHEREAS, Dr. Pfannestiel has cultivated local community relationships and partnerships through his participation on the Board of Directors of the

United Way, Clarion Community Foundation, Clarion Hospital, Jefferson County Historical Society, and the Pennsylvania Humanities Council.

WHEREAS, Dr. Pfannestiel soared to new thespian heights on the Marwick Boyd stages and showcased his performing art talent by participating in seven University theater productions over the course of his tenure.

WHEREAS, Dr. Pfannestiel through his powerful, mellifluous delivery has an unusual avocation for figures amorphous that accelerates the heart rate, prickles the senses of many diverse audiences. Always with respect and at times with students, he guided ghost hunts: unexplainable voices and apparition, harrowing stories, and other paranormal activity to the delight of thousands of students, faculty, community, and state groups hushed in awestruck appreciation. It is through his "spirited" documentation that he unspools a legacy of regional history which would have been mere myths without his effervescent research.

WHEREAS, Dr. Pfannestiel, notably, carried out his musical talents intertwined and camouflaged in blue and gold with the University's Marching Band, covertly, punctuated by crashing the cymbals during an athletic event.

WHEREAS, Dr. Pfannestiel shared his love of the Christmas season with young and old, alike, attending numerous parties bringing sheer joy to many children throughout the area with his Santa Claus garb and eminence gear. His efforts to assist with the decoration of the University's Christmas tree, and his good will spread throughout the year, will be sorely missed.

WHEREAS, Dr. Pfannestiel made reports and presentations marked with fervor to the Council of Trustees, inspiring trustees to sit up taller, instilling an infectious allegiance to our respective roles at Clarion University and inculcating unparalleled pride to those who serve, knowing we are fortunate to have the experience of his illumination, and,

THEREFORE, BE IT RESOLVED, that the Council of Trustees expresses its thunderous appreciation of Dr. Todd Pfannestiel over his decades of distinguished service to Clarion University and extends to him our most fondly rendered wishes in his career advancement; and,

BE IT FURTHER RESOLVED, that this resolution be made a part of the Council of Trustees minutes of the meeting of April 19, 2018.

XV. ADJOURNMENT

A motion to adjourn the meeting at 7:59 p.m. was made by Mr. Green, seconded by Mrs. Bauer. The next regular meeting will be Thursday, April 19, 2018, on Clarion campus.

Respectfully submitted



James L. Kifer, Secretary
Council of Trustees

MINUTES OF THE MEETING OF THE COUNCIL OF TRUSTEES
CLARION UNIVERSITY OF PENNSYLVANIA
FRIDAY, MAY 11, 2018
ROOM 14B SUITES ON MAIN NORTH
CLARION PA 16214
Public Meeting
2:30 P.M.

I. RECORDING OF ATTENDANCE

The meeting was called to order at 2:30 p.m. by Chairwoman Dunbar with the following Trustees present:

Mrs. Milissa Steiner Bauer, Vice Chairwoman
Mrs. Susanne Burns (via conference call)
Ms. JD Dunbar, Chairwoman
Mr. Edward Green
Mr. Howard Shreckengost
The Honorable R. Lee James
Mr. James Kifer, Secretary
The Honorable Donna Oberlander
Mr. Randy Seitz (via conference call)
Mr. Neil Weaver (via conference call)

The following Trustees were absent:

Dr. Syed Ali-Zaidi

II. PUBLIC COMMENTS

Ms. Dunbar asked individuals offering public comments to limit their remarks to no more than five minutes.

Mr. Norbert Baschnagel provided his comments on the four candidates and shared his thoughts on the best candidates for the University moving forward.

Faculty Senate Chair, Dr. Adam Roberts, noted that the Search Committee was rewarded with very good candidates in the Extended Search and have some tough decisions to make in their selection.

Dr. Jim Lyle, faculty member, also provided his insight on the candidates with the Council of Trustees.

III. SELECTION OF CONTINUING CANDIDATES FOR POSITION OF UNIVERSITY PRESIDENT

Trustee Dunbar discussed the purpose of the today's meeting and the only agenda item for Council to act upon is to review the Extended Presidential Search Committees' report and consider selection of the finalists for the position of university president. She announced that the Council would go into executive session to review the Search Committee's report and recommendation.

The Trustees entered into executive session at 2:45 p.m. and return to public session at 3:12 p.m.

Ms. Dunbar asked Trustee Green to read the following resolution:

RESOLVED, that the Council of Trustees, Clarion University, recommends to the Chancellor and Board of Governors of the Pennsylvania State System of Higher Education the following individuals as continuing candidates for the position of President of Clarion University of Pennsylvania:

Dale-Elizabeth Pehrsson
David Urban

A motion was made by Mr. Green, seconded by Mr. Seitz, that the resolution be approved. A roll call vote was taken.

Dr. Syed Ali-Zaidi	Absent
Mrs. Milissa Steiner Bauer	Yes
Mrs. Susanne Burns	Yes
Ms. JD Dunbar	Yes
Mr. Edward Green	Yes
Mr. James Kifer	Yes
The Honorable R. Lee James	Yes
The Honorable Donna Oberlander	Yes
Mr. Randy Seitz	Yes
Mr. Howard Shreckengost	Yes
Mr. Neil Weaver	Yes

The motion carried unanimously

IV. ADJOURNMENT AND NEXT MEETING

A motion was made by Ms. Bauer, seconded by Mr. Kifer, that the meeting be adjourned at 3:16 p.m. The motion carried.

The next meeting of the Council of Trustees would be Thursday, July 19, 2018,
on the Clarion campus.

Respectfully submitted



James L. Kifer, Secretary
Council of Trustees

**MINUTES OF THE MEETING OF THE COUNCIL OF TRUSTEES
CLARION UNIVERSITY OF PENNSYLVANIA
WEDNESDAY, JUNE 13, 2018
114 CARRIER HALL
CLARION, PA 16214
PUBLIC MEETING
11:00 A.M.**

I. RECORDING OF ATTENDANCE

Chairwoman Dunbar called the meeting to order at 11:07 a.m. with the following Trustees present via conference call:

Mrs. Milissa Steiner Bauer, Vice Chairwoman
Ms. JD Dunbar, Chairwoman
Mr. James Kifer, Secretary
The Honorable Donna Oberlander
Mr. Randy Seitz
Mr. Neil Weaver

The following Trustees were absent:

Dr. Syed Ali-Zaidi
Mrs. Sue Burns
The Honorable R. Lee James
Mr. Howard Shreckengost

The following members of the University administration attended the meeting:

Dr. Jeff Allen
Mr. Jim Geiger
Dr. Pam Gent

II. PUBLIC COMMENTS – None.

III. APPROVAL OF ORDER OF SUCCESSION PLAN

Ms. Dunbar stated this Special Meeting of the Trustees' was called to discuss and approve the Clarion University Order of Succession due to the departure of Dr. Todd Pfannestiel. In consultation with the Trustees' Executive Committee, we propose that in the absence of Mr. Peter Fackler, Interim President, the following individuals will assume responsibility for the operation of the university in the order listed:

Mr. James M. Geiger, Vice President for University Advancement
Dr. Pamela Gent, Interim Provost/Vice President Academic Affairs
Dr. Susanne K. Fenske, Vice President for Student Affairs
Mr. Leonard A. Cullo, Jr., Vice President for Finance & Administration

A motion was made by Randy Seitz, seconded by Milissa Bauer, that the following resolution be approved. The motion carried unanimously.

WHEREAS, Board of Governors Policy 1983-14-A: *Appointing Interim and Acting Chief Executive Officers*, requires that each PASSHE university president develop and publish an Order of Succession identifying, in rank order, members of its university's executive management team who will act on behalf of the president in his/her absence; in the event the president is temporarily unable to fulfill the responsibilities of the position; or in the event there is a vacancy; and

WHEREAS, Board of Governors Policy 1983-14-A, *Appointing Interim and Acting Chief Executive Officers*, requires that prior to the beginning of each academic year, the president deliver the university Order of Succession Plan to the Chancellor after a resolution and vote by the university's Council of Trustees; and

WHEREAS, the attached Order of Succession Plan, provided by the Council of Trustees', lists in rank order the members of Interim President Peter C. Fackler's executive management team to act on his behalf in his absence or in the event he is temporarily unable to fulfill his responsibilities, or in the event there is a vacancy;

THEREFORE, BE IT RESOLVED, that the Council of Trustees approves and certifies the attached Order of Succession Plan and directs the Interim President Peter C. Fackler to deliver the Succession Plan to the Chancellor, in accordance with Board of Governors Policy 1983-14-A.

A roll call vote was taken.

Mrs. Milissa Steiner Bauer	Yes
Ms. JD Dunbar	Yes
Mr. James Kifer	Yes
The Honorable Donna Oberlander	Yes
Mr. Randy Seitz	Yes
Mr. Neil Weaver	Yes

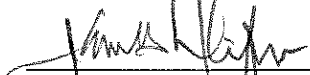
The motion carried unanimously.

IV. ADJOURNMENT AND NEXT MEETING

A motion was made by Mr. Kifer, seconded by Mr. Weaver, that the meeting be adjourned at 11:18 a.m. The motion carried.

The next meeting of the Council of Trustees would be Thursday, July 19, 2018, on the Clarion campus.

Respectfully submitted



James L. Kifer, Secretary
Council of Trustees

Application Template

Section 1: Summary Information

Legal Name of Applicant: [Clarion University of Pennsylvania](#)

Requested Grant Amount: [\\$74,000](#)

DUNS # [072153737](#)

/SAM/CCR Registration Cage Code: [47YK3](#)

Expiration Date: [10/10/2018](#)

All applicants for Federal grant funding must register in the Central Contractor Registration (CCR) database, or its successor database known as the System for Award Management (SAM), at <https://www.sam.gov>, whether applying electronically or by paper, and at no cost. Registration may take 1-1.5 hours to complete and requires a DUNS #, tax ID and business name, statistical and financial information about the business (including number of employees and annual receipts for each of previous 3 years), and Electronic Funds Transfer information for payment of grant disbursements to grantee (Routing #, Account #, ACH contact). Registration activation will take 1-5 days with an established tax ID; OR 2-5 weeks if a new Employer Identification Number is used. A cage code number and expiration date will be provided when the registration is activated and must be included in your RBEG application information. For technical assistance, call the toll-free assistance line at 1-866-606-8220 and press "1." Enter the registration cage code and expiration date in field 5(a), "Federal Entity Identifier," on Form SF-424.

This registration must remain active, with current information, at all times during which an entity has an application under consideration by an Agency or has an active Federal Award. To remain registered in the database after the initial registration, the applicant is required to review and annually update its information in the database to ensure it is current, accurate and complete.

Project Summary

The Clarion University Small Business Development Center (SBDC) is requesting USDA funding of \$74,000 from the Rural Business Development Grant program to increase our consulting and training service capacity to enhance our ability to work more directly with potential entrepreneurs and existing businesses in Cameron, Forest, Potter, and Venango counties.

The Clarion University SBDC is an entrepreneurial assistance and training program that serves pre-venture and existing small businesses by helping them compete and grow in today's competitive global economy. Our center helps aspiring entrepreneurs turn ideas into businesses, helps small firms expand, and provides information every business needs to make critical decisions. The SBDC's business consultants provide a broad range of services to our clients including, but not limited to business plan development, financial analysis, and industry and market research. They meet one-on-one with clients to assist them using resources provided locally and through our state and national SBDC network.

Small businesses are the backbone of local economies and the SBDC services, provided through our consultants and collaborative alliances with regional partnerships, bring together the support needed by small businesses to compete in today's global economy.

The goal of this project is to more deeply penetrate the rural counties of Cameron, Forest, Potter, and Venango with SBDC business consulting services and training seminars to promote entrepreneurship with pre venture and nascent businesses and strengthen the operations of existing businesses.

Certifications/ General Information

1. Relationships to RD employees- To assure the high standards of honesty, integrity, and impartiality maintained by Rural

USDA Rural Business Development Grant

Application Toolkit

Development employees, we need to identify any Rural Development assistance to be provided to employees, their relatives, or their business or close personal associates. This includes insured or guaranteed, loans or grants to individuals or organizations. If you know of any relationship or association you (the applicant) may have with a Rural Development employee, please provide this information, or advise if there is none. Your response will allow us to make special provisions for processing but will not affect your application status. Immediate family, other relatives or close associates who are USDA Rural Development employees, if any, are listed here . If none, indicate here **NONE**

2. Location - No (small and emerging) business located within or adjacent to a community in excess of 50,000 population may be served with the services provided with grant funds. Note your agreement here that no (small and emerging) business to be served will be located in or adjacent to a community of 50,000 populations or more.

The Clarion University SBDC will target the counties of Cameron, Forest, Potter and Venango. The demographics of these counties are shown below:

County Population Demographics			
	<i>Square Miles Land*</i>	<i>Persons Per Square Mile</i>	<i>Total Population**</i>
Pennsylvania	44,816.6	285.67	12,802,503
Cameron County	396.2	11.59	4,592
Forest County	427.19	17.08	7,297
Potter County	1,081.32	15.54	16,802
Venango County	674.28	76.77	51,762

*Land Area is as of Census 2010 and revised through the July 2017 Estimates.

**Source: <https://www.census.gov/quickfacts/fact/map/PA/PST045217#viewtop>

3. Citizenship requirements - All (small and emerging) businesses assisted with grant funds must be at least 51 % owned by U.S. citizens or resident aliens. Note your agreement here that all (small and emerging) businesses assisted will be at least 51 % owned by U.S. citizens or resident aliens.

The profile of the county population and business demographics of these four counties are provided in #2 above and #4 below. According to the mission of the SBDC, businesses receiving assistance from the Clarion University SBDC are majority owned by US citizens.

*Information obtained from the InfoUSA database

RBEG ONLY

4. Small and emerging private business enterprise requirements – All businesses assisted with RBEG funds must meet the following definition: “Any private business which will employ 50 or fewer new employees and has less than \$1 million in projected gross revenues.” Note your agreement here that all businesses assisted will meet the RBEG program definition of small and emerging private business enterprise.

The Clarion University Small Business Development Center provides assistance to individuals looking to start a business along with any for profit business with less than 500 employees. Based on the targeted rural counties, the percentage of businesses with less than 50 employees is as follows:

County Business Demographics			
	<i>Total # Businesses</i>	<i>Total # Business < 50 employees</i>	<i>% of Businesses < 50 employees</i>
Cameron County	173	166	95%
Forest County	157	147	93%
Potter County	528	503	95%
Venango County	1,557	1,477	92%

Based on the information noted in the preceding table, the majority of the businesses in the targeted counties are classified as small and emerging businesses.

USDA Rural Business Development Grant

Application Toolkit

SECTION 2: Applicant Eligibility

Applicant Type– Please Check One:

Public Body/Government Entity - The Clarion University Small Business Development Center is an outreach program as a part of Clarion University, which is a public institution of higher education and part of the Pennsylvania State System of Higher Education.

Nonprofit Entity

Indian Tribe

SECTION 3: Project Eligibility

Application Type – Please Check One:

Enterprise Grant

Opportunity Grant

Enterprise Grant Applicants Only:

- Development or Financing of Small & Emerging Private Businesses

With the receipt of this funding, the following action items will be completed by the Clarion University SBDC to enhance its services to the pre-venture and new entrepreneurs and existing small businesses owners.

- (1) Further penetrate the geographical area identified through a business consultant located in or around Cameron, Forest, Potter, and Venango County.
- (2) Hire a business consultant to increase the capacity to provide more business assistance and training to entrepreneurs and small business owners and individuals looking to start a business.
- (3) Further network with existing resource partners, existing SBDC clients and contacts, and state and federal legislators and economic development organizations to enhance the knowledge and expertise of the SBDC business consultant.
- (4) Conduct training seminars to educate prospective entrepreneurs on the steps to starting a business.
- (5) Conduct training seminars on topics needed by existing businesses such as sales and marketing, human resource management, and business planning.

The Clarion University SBDC is looking to hire an additional business consultant to better serve these counties. It is very important that an SBDC consultant be positioned with a more direct presence in these counties so services can be more readily and conveniently available to those needing business assistance and training. The proposed goals of this funding is as follows:

Proposal Goals		
10 New Business Started	15 Jobs Created and/or Retained	\$500,000 Projected Sales increases

For revolving loan fund requests only - RBEG revolving loan fund initial administrative costs are the responsibility of the applicant. All funds awarded from this agency must be used for loans. As loans are repaid, principal and interest are the basis of the continuation of the revolving loan fund. Interest collected may be used to offset administrative costs. For example a revolving loan fund that charges a 5% interest rate might require 1-2% for administrative costs, with the remaining interest along with the principal paid used for relending. Please provide a "proposed use of interest funds" as a part of your plan to provide financial assistance to third parties (RD Instruction 1942.313). The Intermediary's contribution for administrative costs should be budgeted as a separate item from the Intermediary's contribution to be used for (small and emerging) business loans. **(NOT APPLICABLE)**

Requests for construction or renovation projects the following should be provided - proof of ownership of the property; preliminary drawings, cost estimates, pictures (inside and outside) of any existing structures. Anticipatory demolition is discouraged

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and will prevent USDA Rural Development funding of the project. An appropriate environmental review will be required including a response from the State Historic Preservation Officer (SHPO). Please complete Form RD 1940-20, "Request for Environmental Information." **(NOT APPLICABLE)**

For request to purchase equipment - provide a detailed list with estimated cost per item. **(NOT APPLICABLE)**

Opportunity Grant Applicants Only: (Not applicable)

- Economic Development Result - Opportunity Type Grants may be made only when there is reasonable prospect that the project will result in economic development of a rural area. *[Describe the economic development that will occur as a result of the proposed project. Include demonstration of project sustainability. Supporting Documentation can be inserted in Appendix G]*
- Local and Area Strategic Plans
Grants may be made only when the proposed project is consistent with local and area-wide strategic plans for community and economic development, coordinated with other economic development activities in the project area and consistent with USDA Rural Development State Strategic Plan. *[Describe how the project coincides with local or regional strategic plans. Supporting Documentation can be inserted in Appendix G]*

All Applicants:

Section 4: Written Narrative

4.1 Project Need

[Explain proposed project and why the project is needed. Supporting Documentation can be inserted in Appendix G]

The Clarion University SBDC recognizes the rising unemployment rates in our region. Entrepreneurship can be both a viable option for those who become unemployed and a driver for new employment opportunities. As of February 2018 the average unemployment rate relative to total population in these four counties is 6.75%, or an average of almost 30% above the Pennsylvania unemployment rate of 5.2% showing a need for additional technical business assistance.

County Unemployment Rates as of February 2018		
	<u>Unemployment Rate</u>	<u>% above PA Unemployment Rate</u>
Pennsylvania	5.2	N/A
Cameron County	7.1	36%
Forest County	7.1	58%
Potter County	7.4	42%
Venango County	6.3	21%
Average	6.75	29.8%

In addition, the SBDC focuses on strengthening existing businesses through its expertise and market and industry resources. Growing existing businesses is the foundation to economic development especially when businesses have the knowledge and capability to promote their products and services to markets both domestically and globally.

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4.2 Project Benefits

[Explain the benefits of the proposed project. Supporting Documentation can be inserted in Appendix G]

The services of the Clarion University SBDC are provided at no cost and are formed around the needs of each client. Clients served by the SBDC have access to market and industry research resources that are provided through its state and national network. In addition, clients may benefit from the knowledge and expertise of the Center consultants as well as network consultants within the specialized programs of international trade, government procurement and environmental management. Funds will be used to offer SBDC services within the targeted counties to meet either at county outreach locations or at the business location.

4.3 Eligible Grant Purpose

[Explain how the proposed project meets an eligible grant purpose. Supporting Documentation can be inserted in Appendix G]

The Clarion University SBDC's mission is to help businesses start, grow and prosper. Our consulting, training seminars and market and industry research resources provide the needed technical assistance to establish and build businesses that stimulate economic development by increasing sales and creating jobs.

4.4 Area to be Served

[Describe the area to be served, identifying each governmental unit (i.e. town, county, etc.) to be affected by the project]

The following table profiles the business and general population demographics of these four counties.

Number of business with range of employees located in the area that will be served with RBDG funds	Number of private business and gross revenues
Cameron County Business Demographics	
# small businesses - 171	Less than \$500,000: 85
0-10: 134	\$500,000 to \$1 million: 20
11-20: 20	\$1 million to \$2.5 million: 10
21-50: 18	\$2.5 million to \$5 million: 6
51-100: 3	\$5 million or \$10 million: 3
101-500: 2	\$10 million or greater: 4
Forest County Business Demographics	
# small businesses - 153	Less than \$500,000: 68
0-10: 128	\$500,000 to \$1 million: 9
11-20: 14	\$1 million to \$2.5 million: 17
21-50: 7	\$2.5 million to \$5 million: 0
51-100: 5	\$5 million to \$10 million: 4
101-500: 1	\$10 million or greater: 2
Potter County Business Demographics	
# small businesses - 517	Less than \$500,000: 243
0-10: 435	\$500,000 to \$1 million: 68
11-20: 549	\$1 million to \$2.5 million: 42
21-50: 29	\$2.5 million to \$5 million: 23
51-100: 8	\$5 million to \$10 million: 13
101-500: 6	\$10 million or greater: 13
Venango County Business Demographics	
# small businesses - 1,534	Less than \$500,000: 739
0-10: 1,230	\$500,000 to \$1 million: 212
11-20: 175	\$1 million to \$2.5 million: 195
21-50: 113	\$2.5 million to \$5 million: 86
51-100: 47	\$5 million to \$10 million: 33
101-500: 26	\$10 million or greater: 52

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County Population Demographics			
	<i>Square Miles Land*</i>	<i>Persons Per Square Mile</i>	<i>Total Population**</i>
Pennsylvania	44,816.6	285.67	12,802,503
Cameron County	396.2	11.59	4,592
Forest County	427.19	17.08	7,297
Potter County	1,081.32	15.54	16,802
Venango County	674.28	76.77	51,762

*Land Area is as of Census 2010 and revised through the July 2017 Estimates.

**Source: <https://www.census.gov/quickfacts/fact/map/PA/PST045217#viewtop>

4.5 Method and Rationale to Select Service Recipients

[Describe how the service area was selected and the businesses that will receive assistance. If the businesses haven't been selected, describe how they will be selected.]

The targeted counties of Cameron, Potter, Forest and Venango were selected based on their higher than average unemployment rates and geography. Training events will be positioned in locations that will limit the distance individuals and business owners must travel to obtain desired education.

Scoring Criteria. Population. Proposed project(s) will be located in a community of:

1. Under 5,000 15 points
2. Between 5,000 and less than 15,000 10 points
3. Between 15,000 and 25,000 5 points

Scoring Criteria. Unemployment. Proposed project(s) will be located in areas where the unemployment rate:

1. Exceeds the State rate by 25% or more 20 points
2. Exceeds the State rate by less than 25% 10 points
3. Is equal to or less than the State rate 0 points

Scoring Criteria. Medium Household income. Proposed project(s) will be located in areas where the median household income (MHI) for the State is:

1. Less than poverty line 25 points
2. More than poverty line but less than 65% 15 points
3. Between 65% and 85% 10 points
4. Equal to or greater than 85% 0 points

Scoring Criteria. Economic Distress. Points will be awarded for each of the following criteria met by the community or communities to benefit from the grant (cannot exceed 40 points total):

1. Trauma 15 points
(natural disaster occurred not more than 3 years prior to filing application)
FEMA Designation _____
 2. Economic distress 15 points
(Military Base/Employer 20% or more loss in total jobs)
 3. Long-Term Poverty 10 points
(demonstrated by being a former EZ/EC, REAP, CC or a persistent poverty county)-
indicate which _____
 4. Long-term population decline 10 points
(demonstrated by latest 3 decennial Census)
Show amounts _____
- Subtotal _____ (Cannot Exceed 40 Points)

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4.6 Coordination with Area Economic Development Activities

[Description of how the project will coordinate Economic Development activities with other Economic Development Activities within the project area. Supporting Documentation can be inserted in Appendix G] 

The Clarion University SBDC believes in maintaining strong relationships with local, regional and state organizations that can bring valuable services to our clients to help them start and grow their businesses. The SBDC regularly collaborates with the economic and business-related organizations to accomplish the following:

- Foster professional relationships based on ethical practices, accountability, and mutual respect.
- Develop innovative solutions to the region's challenges.
- Serve the region through a collaborative commitment to superior customer service and satisfaction.

The organizations that the SBDC works closely with in the targeted counties of this proposal include:

- North Central Pennsylvania Regional Planning and Development Commission
- Northwest Pennsylvania Regional Planning and Development Commission
- Oil Region Alliance
- Venango Chamber of Commerce
- Cameron County Industrial Development Authority
- Cameron County Chamber of Commerce
- Potter County Redevelopment Authority
- Potter County Education Council
- Northwest Industrial Resource Center
- Ben Franklin Technology Partners

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4.7 Businesses to be Assisted and Economic Development to be Accomplished

[Describe Businesses to be Assisted (if appropriate) and Economic Development to be accomplished. Supporting Documentation can be inserted in Appendix G]

The mission of the Clarion University SBDC is to provide entrepreneurs and small business owners with the knowledge needed to make smart decisions and prosper. The goals of this project will be to help at least 10 businesses start operations and help new and existing business create and/or retain fifteen new jobs and increase sales revenues by \$500,000. These goals will be obtained through targeted marketing strategies, building business referrals from resource partners, networking with existing businesses and business organizations, and training events.

The SBDC business consultant identified will ideally be located central to these four counties to provide consulting services and training seminars. This consultant will be provided a laptop, telephone, and other necessary technologies for providing services in these rural counties. Network resources will be made available through web-based applications and membership subscribed databases. The Center's toll free telephone number will be utilized to provide free and easy access to contact the SBDC at any location.

SBDC services are marketed using many low cost and direct strategies. Therefore, the SBDC consultant will be integrated into the communities within these counties by networking through new and existing resource partners, with county and regional economic development organizations, financial institutions, business and community organizations, and educational institutions. An existing SBDC client and contact database and subscription to a business listing database will be used to identify and cultivate existing business that need business assistance to help increase sales that will in turn retain and/or create jobs for the region.

The SBDC will host training seminars on a variety of business topics. The SBDC's First Step seminar targets prospective entrepreneurs looking to start a business. Other business topics focus on areas such as accounting and bookkeeping, sales and marketing, social media, industry and market research, human resource management, and worker safety training. The SBDC always looks to partner with other business organizations to more effectively market and promote each seminar.

Scoring Criteria. Applicant has written evidence that small business development will be supported by startup or expansion as a result of the grant. 5 points for each letter for separate businesses up to 25 points

4.8 Jobs Created/Saved

[Describe how the proposed project will create jobs or save existing jobs in the service area and provide an estimated number of jobs created and jobs saved. This is evidenced by letters from rural businesses that will be directly assisted in Appendix F.]

The SBDC will utilize these grant funds to effectively reach the following proposed goals. Since our services are available to any type of small business, individual business cannot be identified in this grant. However, direct outreach efforts will be conducted to identify businesses that may need SBDC services. This will be done through online marketing, enhanced search engine optimization programming of the Center's website, and outreach activities including partner collaboration and a direct calling program.

Proposal Goals		
10 New Business Started	15 Jobs Created and/or Retained	\$500,000 Projected Sales increases

Jobs created are the jobs created by the "businesses assisted" and are directly related to, a result of, and attributed to the project funded by the RBDG project. Jobs created are generally located at the project site; however, jobs created may be located off site if they are employed by the business assisted and are directly related to the project. Examples may include increases in off-site sales staff due to a production expansion project. Enter the estimated number of jobs that will be created if the project is implemented. Part-time and seasonal jobs will be converted to full-time equivalents (FTE): count 2 part-time jobs as 1 full-time job; count 3 seasonal jobs as 1 full-time job. If part-time and/or seasonal jobs add up to a fraction, round up to the next whole number.

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Scoring Criteria. Applicant has written evidence that the proposed project will create and/or support existing jobs. The number of jobs must be evidenced by a written commitment from the business to be assisted.

- | | |
|--|-----------|
| 1. One job for less than \$5,000 | 25 points |
| 2. One job for 5,000 but less than \$10,000 | 20 points |
| 3. One job for \$10,000 but less than \$15,000 | 15 points |
| 4. One job for \$15,000 but less than \$20,000 | 10 points |
| 5. One job for \$20,000 but less than \$25,000 | 5 points |

Amount of Grant divided by number of jobs = \$ _____/jobs

4.9 Applicant Expertise

[Insert key personnel, names and experience of personnel on staff and, if applicable, under contract to be utilized for delivery of project tasks. Identify their connection to the project and include a resume of their experience. Attach resumes and other supporting documentation of experience in Appendix E]

The Clarion University SBDC tracks our consulting and training activities on an annual basis as noted in the following table from the past five years:

SBDC Service Impact	2013	2014	2015	2016	2017
# of Clients	525	501	461	501	510
# of Consulting Hours	7,535.75	7,600.50	7,693	7,600.50	7,794.75
Capital Formation	\$11,396,003	\$7,338,675	\$11,567,946	\$7,338,675	\$12,852,849
Training Events Held	67	77	86	77	73
Training Event Attendees	1,028	1,226	1,591	1,226	1,110
# of Businesses Started	52	61	50	61	51

The Clarion University SBDC consistently shows the service impact to its region through its highly qualified business consultants. A profile of the current staff members are shown in the following table:

Clarion University SBDC Staff Census

Staff Name	Position/Duties	FT or PT	Years of SBDC Experience	Years of other Work Experience	Highest Degree
Cindy Nellis*	Director	Full time	21 Years	12 Years	Masters
Jason Strohm*	IT/Business Consultant	Full time	1 Years	2 Years	Masters
Amy Keth	Assistant Director	Full time	14 Years	8 Years	Masters
Corry Riley*	Business Consultant	Full time	13 Years	12 Years	Masters
Aleshia Marshall	Business Consultant	Full time	1 Year	1 Year	Masters
Tracy Reinsel	ELC Coordinator	Full time	3 Year	7 Year	Masters
Jeanne Best*	Marketing/Training Coor	Part time	1 Year	20 Years	Associate
Diana Smith	Fiscal Technician	Full time	3 Years	18 Years	High School

Refer to Appendix 2 for Nellis' Resume. *Current or previous business ownership experience.

Scoring Criteria. Applicant has evidence of successful experience in type of activity.

- | | |
|--------------------------------------|-----------|
| 1. 10 or more years | 30 points |
| 2. At least 5 but less than 10 years | 20 points |
| 3. At least 3 but less than 5 years | 10 points |
| 4. At least 1 but less than 3 years | 5 points |

Number of years' experience

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4.10 Work Plan Narrative

[Insert work plan narrative including how the grant purposes will be accomplished and milestones for accomplishing the proposed tasks. Additionally, if selected for funding, provide a statement indicating how soon after notification of grant obligation will project begin]

The following is an explanation of the action steps for this work plan:

- (1) ***Business Consultant*** – The Clarion University SBDC will hire an individual(s) that resides in or around the counties to be served. In addition, it will hire a student to assist the business consultant in providing SBDC services more efficiently.
- (2) ***Identification of Clients*** – The Clarion University SBDC will utilize marketing and networking strategies to identify prospective entrepreneurs and existing businesses that could become clients for SBDC services. These strategies will include electronic communication and marketing, a website, flyers distributed through resource partners, financial institutions, legislative offices, and business and community organizations and person to person networking opportunities. The SBDC will work to build awareness of our services by the general population and business community in the counties to be served. Monthly First Step workshops will be held to attract and educate prospective entrepreneurs about the steps to starting a business and how the available SBDC services can be utilized as they plan, start and grow their business.
- (3) ***Provide business consulting and training services*** – As outlined in our SBDC work plan, our business consultant will provide business assistance through one-on-one meetings at the SBDC outreach location, the client’s business location or at the offices of resources partners such as the local and regional economic development organizations.

The Clarion University Small Business Development Center’s statement of service delivery is outlined below.

Overview/Purpose

The Small Business Development Centers provide three core services—consulting, educational programs, and information—along with specialized services to build small firms’ capacity to compete effectively in domestic and international markets. The SBDC program provides consulting and training to businesses in all stages of development and in all industry sectors, and is an accredited member of a national system of over 1,000 centers. The Pennsylvania SBDC network is one of only eight programs nationally that also has supplemental accreditation for its technology services.

1. Delivery System

The Pennsylvania Small Business Development Centers are a statewide network of 18 college and university based business assistance centers that have been providing business management training to Pennsylvania entrepreneurs since 1980. The Clarion University SBDC started operations in 1980 as one of the first eight Centers in Pennsylvania.

This Center provides services in three cores areas—Start-Up Services, Innovation and Growth Services, and Sustainability Services—to help entrepreneurs start successful new companies and facilitate their growth and prosperity.

Start-Up Services

Provide prospective entrepreneurs with the resources to plan, fund and launch successful new ventures. SBDC Services include:

Educational Programming:

- First Step
- Business Planning courses

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Tools:

- Online Starting a Business Tutorial
- Online Webinars and Training
- Pitch Then Plan

Consulting:

- Market Analysis and Competitive Research
- Business Planning
- Business Viability Assessment
- Capital Acquisition—debt, equity, angel, SBIR
- Environmental Management: Regulatory Assistance
- Business Continuity
- Technology Commercialization Assessment

Innovation and Growth Services

Help companies to think long-term, to identify and take advantage of opportunities, and to provide information to act boldly but wisely. SBDC services include:

Educational Programming:

- Courses on sales and new markets, marketing, management, operations, financial management, time management, and strategic planning

Tools:

- IndustriousCFO Financial Analysis
- Hoovers First Research and Prospector
- InfoUSA

Consulting:

- Strategic Planning
- Competitor and Market Analysis
- Capital Acquisition- debt, equity, angel, VC, SBIR—and Financial Management
- Marketing and Sales
- Operations
- Human Resources
- Environmental Management: Regulatory Assistance, Energy Efficiency, Green Your Business
- International Business: Exporting, Global Sourcing, Global Competitive Analysis
- Government Contracting
- Technology Commercialization

Sustainability Services

Help companies build business models that are efficient and profitable. SBDC services include:

Educational Programming:

- Business Planning courses
- Courses on marketing management, operations, financial management, time management, human resources, legal issues, and taxes

Tools:

- Online Webinars and Training
- IndustriousCFO Financial Analysis

Consulting:

- Business Planning
- Strategic Planning

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- Competitor and Market Analysis
- Capital Acquisition—debt and equity
- Marketing and Sales
- Operations
- Taxes and Regulations
- Financial Management
- Business Continuity
- Environmental Management: Regulatory Assistance, Energy Efficiency, Green Your Business
- International Business: Global Sourcing & Global Competitive Analysis

2. *Delivery Process*

To maintain consulting quality and the cost-effective utilization of resources, prospective entrepreneurs are recommended to attend a First Step workshop prior to establishing a consulting engagement.

Prior to a client's first meeting, an online Request for Consulting Form, and an SBDC Client Rights and Responsibilities Form is completed. Both electronic forms are kept in the client file.

In order to accomplish the goals of increasing clients' management capability and enhancing business performance, services are provided utilizing an outcome based consulting methodology. Rather than focusing solely on consulting hours as a measure of effectiveness, this approach focuses on achieving outcomes. In this process, a client's needs are identified and a scope of work developed to meet those needs which results in the accomplishment of relevant milestones.

A needs analysis allows the consultant and the client to identify and establish priorities among issues confronting the business. The needs assessment develops the information necessary to identify key service areas and ultimately to identify the desired outcomes for the engagement. There can be many approaches to accomplishing the needs assessment for the client. Needs assessments should be completed for all established business clients. It is recognized though, that often clients come to the SBDC for assistance with a specific issue or problem, and one that may also require a quick response. In such cases the SBDC will begin working with the client on the issue(s) for which they are seeking assistance and to then plan on conducting the needs assessment at a later stage of the engagement.

Based on the results of the initial and, possibly, a more detailed needs assessment, the consultant will develop the scope of work for the engagement. The scope of work includes a combination of discrete products and training that can deliver the service in the most efficient manner. In addition to the services delivered directly from the SBDC, the consultant also identifies needs that will be addressed through a referral either to another consultant within the SBDC system or an outside agency or consultant. Also, some client needs may be preliminarily identified however, it may be more appropriate to address them at a later date and during a subsequent engagement. Completion of the scope of work will result in the achievement of milestones.

The scope of work is outlined in an engagement letter to the client that contains the following:

- *Problem Identification* - Outlines the key issues and problems the client has raised and which of these will be the focus of this consulting engagement.

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- *Expected Outcome of the Consulting Engagement* - Outlines what will be the final product or outcome of this consulting engagement; which milestones will be achieved; and what the client can expect at the end of the engagement.
- *Consultant's Responsibilities* - Outlines steps or activities consultants will undertake during the engagement to help the client solve the issues and problems and accomplish the milestones identified.
- *Client's Responsibilities* - Outlines tasks the client is expected to perform during the engagement; information the client needs to provide; training recommended for the client to attend; and type of support, cooperation, and assistance needed from the client, his/her managers and employees to fulfill the engagement.
- *Length of Engagement* - Outlines how long the various steps involved in the engagement will likely take to complete. An engagement may be as short as one hour or as long as necessary to complete the scope of work.
- *Notice of Survey* - The client should be notified of the importance of completing the consulting engagement evaluation survey that will be sent at the end of the year.

Educational programs are intended to produce a change in behavior of the client as a result of their having acquired a new management tool, or information they can use in their decision-making. These courses may or may not be related to a specific consulting engagement. If they are integrated with consulting engagements, they should contribute to the accomplishment of milestones. If the attendee is not involved in an engagement, it is still expected that a change in behavior or an intention to change behavior will be a result of the training.

The value of educational programs is measured based on attendee satisfaction, outcomes as measured against the goal of training, and impact of the program, if applicable.

Successfully managing the overall engagement depends on the continuous interaction between the client and the consultant. There may be preliminary tasks that are accomplished early in the engagement and larger tasks which take longer to complete. Interactions between the client and the consultant are tracked in the MIS, with appropriate and complete session activity entered for each interaction with the client and daily activity on work for the client, and with milestones being achieved.

If clients require assistance not normally provided by the SBDC, they should be referred to outside consultants. The SBDCs maintain lists of local and regional private consultants to whom small businesses can be referred. The client should be given the names of at least three consultants. Small Business Development Centers also provide clients, through referral, with access to all other appropriate state and federal small business service delivery agencies. SBDCs have systems in place to evaluate services made upon referral.

When the client's record is first established in the MIS, baseline information is entered for the three impact milestones: change in staff, change in sales (domestic) and change in exports. After the engagement is complete, current data is entered into these three milestones and the MIS then measures the change in them.

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If there are many needs extending over a long period of time, or new needs surface during an engagement, the client and consultant may either amend the scope of work by adding new milestones or complete all the milestones in the initial engagement and then begin a new engagement.

The engagement is complete when the tasks outlined in the scope of work have been accomplished. Close out of the engagement occurs when the engagement is complete or if no consulting has occurred during the previous 90 days. At this point, a close out letter is sent to the client.

For clients who achieved milestones, the close out letter provides a recap of the engagement, point out future issues the client may face, note other SBDC services the client may benefit from, alert the client to the importance of returning the annual Client Questionnaire, and request Publicity Release forms for a success story.

Client satisfaction is measured through the annual Client Questionnaire, which is sent by the Pennsylvania SBDC Lead Office to all clients at the end of the year. Survey results are shared with the client's consultant(s).

The annual Client Questionnaire also provides data on the program's key outcome and impact metrics: capital formation, business starts/purchases or decided not to go into business, sales increase (domestic+international+government) and jobs saved. Client satisfaction is gauged by asking if they would recommend the SBDC services to others. The Clarion University SBDC received 96.9 percent client referral ratings in 2017.

Marketing Efforts/Resources

Marketing of SBDC services occurs through four primary means: websites, social media, networking with partners, and outreach. The network and all centers maintain websites. The infrastructure is available to all centers to use as well to upgrade their websites. Social media and email blasts are predominantly used to market educational programs and share information on program services and impact. Extensive interaction with partner organizations keeps them informed of services that may be beneficial to their clients or customers. Brochures describing SBDC services are developed to distribute at outreach events.

3. *Monitoring/Customer Service Measures*

The Association of Small Business Development Centers (ASBDC) has an on-site review process that leads to a formal accreditation of the program. Accreditation is required in order for the program to receive federal funds. The Pennsylvania SBDC is evaluated at least once every five years based on the review standards and measurements and the self-study guide. The network underwent an accreditation review in April 2016 with complete re-affirmation.

Augmenting the ASBDC accreditation process, the Pennsylvania SBDC has instituted a multi-faceted approach to quality management comprised of:

- Annual center performance goals outlined in contracts that are determined by the amount of core funds a center receives
- Monthly reports on centers' progress toward key performance indicators
- Monthly reports of network-wide services
- Center reviews by the Lead Office
- Annual client satisfaction and impact questionnaire to all clients

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- Each center develops its own process for reviewing and managing quality of all services offered

4. Goals with Historical Trends

The Pennsylvania SBDC network operates using a performance based budgeting process that outlines minimum performance expectations on key performance indicators based upon the amount of core funds received. *The current key performance indicators include hours of consulting, amount of capital formation, business starts, sales increased, jobs impacted, client satisfaction and client support letters.*

a. Project Budget Summary

Summarize the total project budget by task. Project should reasonably be completed within 1 full year after it has begun. Insert additional rows as needed.

Activity #	Task Name and Description	Start Date	End Date	RBDG Funds	Supplemental Funds	Total Project Costs
1	<u>Hire Business Consultant (Salary + Benefits)</u>	7/1/18	6/30/19	\$67,000		\$67,000
1	<u>Identify Clients</u>	7/1/18	6/30/19	\$500		\$500
1	<u>Travel and Supplies</u>	7/1/18	6/30/19	\$2,500		\$2,500
2	<u>Administrative – Indirect</u>	7/1/18	6/30/19	\$4,000		\$4,000
2	<u>Rent</u>	7/1/18	6/30/19		\$37,000	\$37,000
	TOTAL PROJECT			\$74,000	\$37,000	\$111,000

b. Sources of Funding

[Identify sources and amounts of matching funds. Please provide written verifiable commitment of funds from other sources. An authorized representative of the organization contributing funds from another source must provide evidence that the funds are available and will be used for the proposed project. Verification of matching funds documentation should be in Appendix D.]

Clarion University will provide a match of \$37,000 from a portion of rent paid for the SBDC office space in the Barnes Center. Refer to Appendix D for the match letter.

c. Task Budget Format

Provide a budget table for **each task** that will be completed for **each main activity** listed above.

Add additional task tables as needed.

Task #1 Budget Categories	RBDG Funds	Supplemental Funds	Total Project Costs
Personnel	\$45,000		\$45,000
Fringe Benefits	\$22,000		\$22,000
Travel	\$2,000		\$2,000
Supplies	\$500		\$500
Contractual			
Marketing and Research	\$500		\$500
Total	\$70,000	\$	\$70,000

Provide explanation/clarification of the basis for the above budget figures: *[Insert task budget explanation]*

Personnel: Payroll expense for personnel responsible for direct client consulting services.

Fringe Benefits: Average fringe benefit rate is about 50 percent and includes the cost of medical, dental, and vision insurance and retirement benefits.

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Travel: Travel costs for providing direct program services and training seminars.

Supplies: Costs to support supplies such as paper, copier toner, and envelopes.

Marketing and Research: Costs to support the design and printing of SBDC brochures, resource guides, seminar flyers, and other miscellaneous marketing materials.

Task #2 Budget Categories	RBDG Funds	Supplemental Funds	Total Project Costs
Personnel			
Fringe Benefits			
Travel			
Supplies			
Contractual			
Administrative Costs	\$4,000		\$4,000
Rent Expense		\$37,000	\$37,000
Total	\$4,000	\$37,000	\$41,000

Provide explanation/clarification of the basis for the above budget figures: *[Insert task budget explanation]*

Administrative Costs: Administrative support for grant funding and program activities.

Rent Expense: A portion of the rent paid by the University for SBDC office space.

Scoring Criteria. Leveraging. Applicant has evidence of commitment of funds from nonfederal sources for proposed project. If Rural Development portion of project funding is:

- | | |
|--------------------------------|-----------|
| 1. Less than 20 percent | 30 points |
| 2. 20 but less than 50 percent | 20 points |
| 3. 50 but less than 75 percent | 10 points |
| 4. 75 percent or more | 0 points |

Rural Development funds \$ divided by non-Federal funds and Rural Development funds \$ ____ X 100 = ____% which is Rural Developments portion of project funding

Scoring Criteria. Size of Grant Request

- | | |
|--|-----------|
| 1. Less than \$100,000 | 25 points |
| 2. \$100,000 to \$200,000 | 15 points |
| 3. More than \$200,000 but not more than \$500,000 | 10 points |

Scoring Criteria. Indirect cost. Applicant is not requesting grant funds to cover their administrative or indirect costs. 5 points

Suggested Performance Criteria:

Suggest one or more relevant criterion to be used to evaluate the performance of the grant project during its operational phase post-award, as benchmarks to assess whether or not the primary goals and objectives proposed in the scope of work are accomplished during the project period. These criteria should relate to the overall project goal of financing and/or assisting small and emerging businesses or conducting business opportunity projects, with a resulting creation or saving of jobs.

[Insert Performance Evaluation Criteria]

Performance metrics relative to this grant proposal includes the number of businesses started, number of jobs created or retained and amount of sales increased achieved by clients assisted by the Clarion University SBDC.

USDA Rural Business Development Grant

Application Toolkit

Additional Scoring Criteria

Scoring Criteria. Discretionary points. Either the State Director or Administrator may assign up to 50 discretionary points to an application. Assignment of discretionary points must include a written justification. Permissible justifications are geographic distribution of funds, special Secretary of Agriculture initiatives such as Priority Communities, or a state's strategic goals. Discretionary points may only be assigned to initial grants.

However, in the case where two projects have the same score, the State Director may add one point to the project that best fits the State's strategic plan regardless of whether the project is an initial or subsequent grant.

Identified State Strategic Goals

- Projects that are regional and scope and nature*
- Projects that highlight collaborative efforts and utilize key partnerships*
- Projects that provide documented plan for sustainability and continued success of the project beyond Federal grant funding.*

RESOLUTION

RESOLVED, that the Council of Trustees, Clarion University, approve the following resolution:

WHEREAS, Clarion University of Pennsylvania (hereinafter called public body) desires to obtain financial assistance under the Rural Business Development Grant (RBDG) from the United States Department of Agriculture, pursuant to Section 310 B of the Consolidated Farm and Rural Development Act, for the purpose of providing increased consulting and training service capacity through the Small Business Development Center (SBDC) of Clarion University of Pennsylvania to work more directly with potential entrepreneurs and existing businesses in Cameron, Forest, Potter and Venango counties. The office of the SBDC of Clarion University is hereafter referred to as the facility.

As a condition to and in consideration of receiving financial assistance from the Rural Development, this resolution is being adopted.

THEREFORE, in consideration of the premises the public body agrees as follows:

- 1) Further penetrate the geographical area identified through a business consultant located in or around Cameron, Forest, Potter, and Venango County.
- 2) Hire a business consultant to increase the capacity to provide more business assistance and training to entrepreneurs and small business owners and individuals looking to start a business.
- 3) Further network with existing resources partners, existing SBDC clients and contacts, and state and federal legislators and economic development organizations to enhance the knowledge and expertise of the SBDC business consultant.
- 4) Conduct training seminars to educate prospective entrepreneurs on the steps to starting a business.
- 5) Conduct training seminars on topics need by existing businesses such as sales and marketing, human resources management, and business planning.

Updates to Student Code of Conduct

- Changed the names of position/office titles to reflect changes within the Division of Student Affairs
- Added clarification to accurately reflect that all policies under the Code of Conduct are applicable to on and off campus behavior for any individual taking classes through Clarion University.
- Altered timelines of the conduct process related to hearings and appeals.
 - If a student rejects responsibility in an incident, a University Conduct Board Hearing will be scheduled within 15 business days. *(This is increased from seven days currently, as it is difficult to schedule a hearing within seven days.)*
 - Students will have five business days to submit an appeal of a decision. *(This is increased from 3 days currently to provide more time for a student to complete the appeal form.)*
 - The appeals officer will have 15 business days to review appeal requests. *(This is increased from 10 business days currently to provide the appeals officer with a more realistic time frame to review appeals and issue a decision. There are times when an appeals officer may be reviewing multiple appeals, and is not able to complete an appeal in 10 business days.)*
- Language was added to allow for the hearing of cases in a student's absence if the student does not contact the hearing officer after a notice of alleged misconduct is emailed to the student. *(This has always been part of our process, but was not detailed in the current code of conduct.)*
- Language was added to allow for the hearing of cases in the absence of the alleged student and without notice of a hearing to the student for specific low-level incidents in the residence halls that result in warnings. *(Examples: improper checkouts, noise violations, prohibited items, candles, etc.) Warnings are issued for all of these, and do not go on a student's disciplinary record.*
- If a student appeals a decision, the decision will not go into effect until the appeal has been reviewed, and a final determination has been made to uphold or modify the decision. *(This is how appeals were handled under the previous Student Rights & Regulations, and is best to prevent students from completing sanctions that may not be upheld.)*

The Clarion University Student Code of Conduct is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.

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PREFACE

Core Values of Student Conduct at Clarion University

- **Integrity:** Clarion University students exemplify honesty, honor and a respect for the truth in all of their dealings.
- **Community:** Clarion University students build and enhance their community.
- **Social Justice:** Clarion University students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.
- **Respect:** Clarion University students show positive regard for each other, for property and for the community.
- **Responsibility:** Clarion University students are given and accept a high level of responsibility to self, to others and to the community.

Clarion University students are responsible for knowing the information, policies and procedures outlined in this document. The University reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online www.clarion.edu/studentrights for the updated versions of all policies and procedures.

Clarion University: Student Code of Conduct

SECTION 1: MISSION

The Clarion University community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The student conduct program within the Office of Judicial ~~and Mediation Services Affairs~~ is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community.

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

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

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

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

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

SECTION 2: JURISDICTION

Students at the University are provided a copy of the *Student Code of Conduct* annually in the form of a link on the University website. Hard copies are available upon request from the Office of ~~Judicial and Mediation Services~~ [Affairs](#). Students are responsible for having read and abiding by the provisions of the *Student Code of Conduct*.

The *Student Code of Conduct* and the student conduct process apply to the conduct of individual students, both undergraduate and graduate, and all University-recognized students, recognized student organizations and clubs. For the purposes of student conduct, the University considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in the University.

The University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll and/or obtain official transcripts and/or graduate and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student's degree.

The *Student Code of Conduct* applies to behaviors that take place on the campus, at University-sponsored events and may also apply off-campus when the Director of ~~Judicial Affairs~~ [Student Engagement & Development](#) (or designee) determines that the off-campus conduct affects a substantial University interest.¹ The University does routinely review public information contained in local news which may pertain to student conduct. A substantial University interest is defined to include:

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

¹ Adapted, with gratitude, from Penn State University.

- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University;

The *Student Code of Conduct* may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials. However, most online speech by students not involving University networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:

- A true threat, defined as “a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals.”
- Speech posted online about the University or its community members that causes a significant on-campus disruption to normal operations.

The *Student Code of Conduct* applies to guests of community members and Recognized Student Organizations/Registered University Organizations whose hosts may be held accountable for the misconduct of their guests. The Code may also be applied to resident non-students, campers and high school bridge/extension/partner/Upward Bound/Trio/dual-credit and continuing education programs by contractual agreements. Visitors to and guests of the University may seek resolution of violations of the *Student Code of Conduct* committed against them by members of the University community.

There is no time limit on reporting violations of the *Student Code of Conduct*; however, the longer someone waits to report an offense, the more difficult it becomes for University officials to obtain information and witness statements, and to make determinations regarding alleged violations.

Though anonymous allegations are permitted, doing so may limit the University's ability to investigate and respond to an allegation. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Judicial ~~and Mediation Services Affairs~~ and/or to University Police.

A responding student facing an alleged violation of the *Student Code of Conduct* is not permitted to withdraw from the University until all allegations are resolved.

University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their University email address.

SECTION 3: VIOLATIONS OF THE LAW

Alleged violations of federal, state and local laws may be investigated and addressed under the *Student Code of Conduct*. When an offense occurs over which the University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal allegation that may arise from the same incident.

The University reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or allegation. (additional grounds for interim suspension are outlined below, on p. 42.) Interim suspensions are imposed until a hearing can be held, typically within 10 days unless there are extenuating circumstances warranting an extension (22 Pa. Code § 505.9²). Within that time, the suspended student may request an immediate hearing from the Director of ~~Judicial Affairs Student Engagement & Development~~ to show cause why the interim suspension should be lifted. This hearing may resolve the allegation, or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed and ~~or if~~ the University ~~may is be~~ delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the University will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. A short delay for allegations involving sexual misconduct offenses to allow law enforcement to complete evidence gathering for

² <http://www.pacode.com/secure/data/022/chapter505/chap505toc.html>

purposes of criminal prosecution is permitted, though implementation of short-term or initial remedies is typically not delayed.

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

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

SECTION 4: THE POLICIES

A. Core Values and Behavioral Expectations

The University considers the behavior described in the following sub-sections as inappropriate for the University community and in opposition to the core values set forth in this document. These expectations and rules apply to all students regardless of learning environment, whether undergraduate, graduate, doctoral, professional, part time, or full time. The University encourages community members to report to University officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 7: Conduct Procedures.

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

- 1) **Falsification.** Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments.

- 2) **Academic Dishonesty.** Acts of academic dishonesty as outlined in the *Code of Academic Integrity*.
- 3) **Unauthorized Access.** Unauthorized access to any University building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any University building or failing to timely report a lost University identification card or key. [Unauthorized access also applies to non-University property that a student is not permitted access to.](#)
- 4) **Collusion.** Action or inaction with another or others to violate the *Student Code of Conduct*.
- 5) **Trust.** Violations of positions of trust within the community.
- 6) **Election Tampering.** Tampering with the election of any University-recognized student organization.
- 7) **Taking of Property.** Intentional and unauthorized taking of University property or the personal property of another, including goods, services and other valuables.
- 8) **Stolen Property.** Knowingly taking or maintaining possession of stolen property.

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

- 9) **Disruptive Behavior.** Substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or ~~other authorized~~ non-University [related](#) activities which occur on [or off campus](#) ~~or are University sponsored activities occurring elsewhere~~.
- 10) **Rioting.** Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property.

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- 11) Unauthorized Entry.** Misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a University building.
- 12) Trademark.** Unauthorized use (including misuse) of University or organizational names and images.
- 13) Damage and Destruction.** Intentional, reckless and/or unauthorized damage to or destruction of University property or the personal property of another.
- 14) Acceptable Use of Technology Resources.** Violating the University Acceptable Use of Technology Resources, found online at: <http://www.clarion.edu/about-clarion/computing-services/about-computing-services/acceptable-use-policy.html>.
- 15) Gambling.** Gambling as prohibited by the laws of the Commonwealth of Pennsylvania. (Gambling may include raffles, lotteries, sports pools and online betting activities. For more information see *Community Standards*.)
- 16) Weapons.** Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nunchucks, throwing stars, or knives with a blade of longer than four (4) inches, including the storage of any item that falls within the category of a weapon in a vehicle parked on University property³.
- 17) Tobacco.** Smoking or tobacco use including use of electronic smoking devices in any area of campus where smoking or tobacco use are prohibited⁴.

³ Subject, of course, to statutorily conveyed rights to carry/possess weapons on campus and/or in locked vehicles on campus. More information on the University Policy may be found at <http://www.clarion.edu/about-clarion/offices-and-administration/university-support-and-business/human-resources/policies/WEAPONS%20FIREARMS%20AND%20DANGEROUS%20DEVICES%20POLICY.pdf>

⁴ Clarion University of Pennsylvania complies with the Pennsylvania Clean Indoor Air Act. The Clean Indoor Air Act (Act 27 of 2008) prohibits smoking in a public place or a workplace. All University facilities are public and, as a result, smoking is prohibited in all University facilities.

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

- a) Intentionally or recklessly causing a fire which damages University or personal property or which causes injury;
- b) Failure to evacuate a University-controlled building during a fire alarm;
- c) Improper use of University fire safety equipment; or
- d) Tampering with or improperly engaging a fire alarm or fire detection/control equipment ~~while on University property~~. Such action may result in a local fine in addition to University sanctions.

19) Ineligible Pledging or Association. Pledging or associating with a student organization without having met eligibility requirements established by the University.

20) Animals. Animals, with the exception of animals that provide assistance (e.g. seeing-eye dogs), or registered and approved comfort animals, and pets as outlined in the Residence Life and Housing Handbook, are not permitted on campus except as permitted by law.

21) Wheeled Devices. Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted for use inside University buildings, University Housing, or on tennis courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to

In addition, the University treats smokeless tobacco and electronic smoking devices in the same manner in which other tobacco products are treated. As a result, smokeless tobacco and electronic smoking devices are prohibited in all University facilities.

The prohibition on smoking includes building entrances, areas near windows and/or ventilation units for buildings. In general, student and employees should smoke in areas away from normal building entrance and exit traffic.

The University asks that all students and employees be respectful of others and follow the information outlined above. Students or employees who do not abide by the above expectations may be asked to vacate any of the above areas and/or to relinquish any smoking item while in these areas.

Employees are also reminded that smoking in University owned vehicles is prohibited.

University property caused by these activities. Self-Balancing Scooters are prohibited for use and/or storage on campus which includes but is not limited to University Housing. Use of a Segway is permitted outdoors and should follow the wheeled devices policy.

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

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

23) Harassment. Any unwelcome conduct based on actual or perceived status including: race, color, sex, religion, national origin, affectional or sexual orientation, gender identity, age, disability, or veteran status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the reporting party and community.

a) **Hostile Environment.** Sanctions can and will be imposed for the creation of a hostile environment only when harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the University's educational or employment program or activities.

24) Retaliatory Discrimination or Harassment. Any intentional, adverse and/or harassing action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant, or supporter of a participant in a civil rights grievance proceeding or other protected activity under this Code.

25) Bystanding.

- a) Complicity with or failure of any student to appropriately address known or obvious violations of the *Student Code of Conduct* or law;
- b) Complicity with or failure of any organized group to appropriately address known or obvious violations of the *Student Code of Conduct* or law by its members.

26) Abuse of Conduct Process. Abuse or interference with, or failure to comply in, University processes including conduct and academic integrity hearings including, but not limited to:

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

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

27) Harm to Persons. Intentionally or recklessly causing physical harm or endangering the health or safety of any person.

28) Threatening Behaviors:

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

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

30) Hazing. Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this policy. (See the *Community Standards* for more information.)

31) Intimate Partner/Relationship Violence. Violence or abuse by a person in an intimate relationship with another. (See the *Community Standards* and Sexual Misconduct Policy for further information.)

32) Stalking. Stalking includes a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear. (See the *Community Standards* and Sexual Misconduct Policy for further information.)

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

34) Public Exposure. Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

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

35) Alcohol. Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the University's Alcohol Policy. (See *Community Standards* for further information.)

36) Drugs. Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the University's Drug Policy. (See *Community Standards* for further information.)

37) Prescription Medications. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications.

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

39) Financial Responsibilities. Failure to promptly meet financial responsibilities to the institution, including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.⁵

40) Arrest. Failure of any student to accurately report an off-campus arrest by any law enforcement agency for any crime (including non-custodial or field arrests) to the Office of Judicial ~~and Mediation Services Affairs~~ within seventy-two (72) hours of release. [Reporting of off-campus arrests can be done by going to 260 Gemmell Student Center or contacting the Coordinator of Judicial Affairs by phone or email.](#)

41) Other Policies. Violating other published University policies or rules, including all Residence Hall policies and Student Organization conduct policies.

42) Health and Safety. Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.).

SECTION 5: OVERVIEW OF THE CONDUCT PROCESS

This overview gives a general idea of how the University's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation,

⁵ Recognized Student Organizations and Recognized University Organizations fall outside this scope.

though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of University policies.⁶

NOTICE. Once notice of a potential conduct violation is received from any source (alleged reporting party, Community Assistant (CA), Security Aid (SA), third party, online, etc.), the University may proceed with a preliminary inquiry and/or may schedule an initial educational meeting/conference with the responding student to explain the conduct process to the responding student and gather information.

A. STEP 1: Preliminary Inquiry and/or Educational Meeting/Conference

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

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

When an initial educational meeting/conference is held, the possible outcomes include:

- A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;
- A decision on the allegation, also known as an “informal” or “administrative” resolution to an uncontested allegation (see immediately below); or
- A decision to proceed with additional investigation and/or referral for a “formal” resolution through the University Conduct Board process.

⁶ In Title IX related issues, the “administrator” is any “mandated reporter” as defined under Title IX and/or campus policy.

If a decision to not pursue on the allegation is made and the finding is that there is insufficient evidence to support charges under the *Student Code of Conduct*, the process will end. The reporting party may request that the Title IX Coordinator or designee reopen the investigation and/or grant a hearing. This decision shall be in the sole discretion of the Title IX Coordinator or designee and will only be granted for extraordinary cause. If the University's finding is that the responding student is in violation, and the responding student accepts this finding within three days, the University considers this an "uncontested allegation." The administrator conducting the initial educational conference will then determine the sanction(s) for the misconduct, which the responding student may accept or reject. If accepted, the process ends.⁷

If student accepts the findings, but rejects the sanction, the University will conduct a sanction-only hearing conducted by a University Conduct Board which will determine a sanction for the case. Students still may appeal the decision of the University Conduct Board to an Appeals Officer. Once the appeal is decided, the process ends.

If the administrator conducting the educational conference determines that it is more likely than not that the responding student is in violation, and the responding student rejects that finding in whole or in part, then it is considered a contested allegation and the process moves to Step 2.

B. STEP 2: Formal Hearing

In a contested allegation, additional investigation may then be commenced and/or a hearing may be held when there is reasonable cause to believe that a policy or policies have been violated. A formal notice of the allegation will be issued, and a hearing will be held before the University Conduct Board (UCB), which issues a finding.⁸ If the finding is that the responding student is not responsible, the process ends. Applicable appeals options are described below.

C. STEP 3: Review and Finalize Sanction(s).

⁷ In cases of minor misconduct, both steps in this paragraph can be accomplished in one meeting.

⁸ The findings of the hearing should only be overturned or modified when necessary to conform to Title IX and/or to repair error that would result in appeal.

If the student is found in violation(s), sanctions will be determined by the UCB except in situations covered by Title IX as it relates to sexual misconduct. Sanctions for cases involving sexual misconduct are recommended by the UCB to the Title IX Coordinator who will review and finalize the sanctions. This decision is subject to the University appeals process by the responding party/parties and reporting party/parties.

SECTION 6: STUDENT CONDUCT AUTHORITY

A. Authority

The President has delegated authority over student conduct to the Vice President for Student Affairs. The Vice President for Student Affairs appoints a Director of ~~Judicial Affairs~~ [Student Engagement & Development](#) to oversee and manage the student conduct process. The Director of ~~Judicial Affairs~~ [Student Engagement & Development](#) may appoint administrative hearing and appeals officers as deemed necessary to efficiently and effectively supervise the student conduct process. All appeals are considered at the level of the President.

The Director of ~~Judicial Affairs~~ [Student Engagement & Development](#) (or designee) or Title IX Coordinator, as appropriate, will assume responsibility for the investigation of an allegation of misconduct to determine if the allegation has merit.

B. Gatekeeping

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

C. Conflict Resolution Options

The Director of ~~Judicial Affairs~~ [Student Engagement & Development](#), or designee, has discretion to refer an allegation for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will allegations of physical sexual misconduct or violence be mediated as the sole institutional response. The Director of ~~Judicial Affairs~~ [Student Engagement & Development](#), or designee, may also suggest that allegations that

do not involve a violation of the *Student Code of Conduct* be referred for mediation or other appropriate conflict resolution.

D. Composition of the University Conduct Board (UCB)

The Director of ~~Judicial Affairs~~ [Student Engagement & Development](#), or designee, will be responsible for assembling the UCB according to the following guidelines:

- 1) The membership of the UCB is selected from a pool of faculty, staff and students who are appointed and trained annually by the Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) or designee.
- 2) For each allegation, a UCB will be chosen from the available pool, and is usually comprised of two student members, three faculty/staff members or administrators, and one faculty/staff member or administrator to chair the hearing in a non-voting capacity. Availability may determine a different composition for the UCB, and in allegations involving discrimination, sexual misconduct, or other sensitive issues, the Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) or designee will usually use three faculty/administrative/staff members for the panel and a chair. The Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) or designee appoints the non-voting chair of the UCB, who assures that University procedures are followed throughout the hearing. An alternate will also be selected for each UCB when possible.
- 3) Members are drawn from the panel pool, with the only requirement being that they be objective about the individuals involved in the case.

Responding students and any reporting parties may request removal based on substantive reasoning. The Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) (or designee) will make this final decision for removal. An all faculty/administrative/staff panel is used to hear sensitive issues involving sexual misconduct. The Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) will determine when an all professional staff UCB will be required.

The Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) (or designee) will have final authority to approve all those serving on the UCB. The non-voting advisor to the Board is the Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) (or

designee) with responsibility for training the Board, conducting preliminary investigations, and ensuring a fair process for the reporting party and responding student. In the event of a resignation from the Board, the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) will solicit a replacement from the group from which the representative came. Decisions made, and sanctions imposed, by the Board or an AHO will be final and implemented, pending the normal appeal process. At the discretion of the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee), implementation of sanctions may be stayed pending review.

E. Administrative Hearing Officers

Administrative Hearing Officers (AHO) are chosen from a pool of annually trained administrators or staff members selected by the Director of [Judicial Affairs-Student Engagement & Development](#). AHOs are professional hall staff and/or graduate students and/or approved paraprofessional staff, staff from [Judicial and Mediation Services Affairs](#), and designated staff at the Venango College. Other full time professional staff may be designated as necessary and are generally members of the University Conduct Board pool.

F. University Conduct Board Pool

To serve in the panel pool, students must:

- 1) Be in academic good standing and have completed 15 hours of academic credit with a cumulative GPA of at least 2.0. [Students' GPAs will be checked once grades are released at the conclusion of each semester.](#)
- 2) Be in good standing with the conduct process throughout the semester in which they serve. Good standing is defined as having no record of misconduct during the semester(s) in which a student wishes to serve on the panel. A serious history of misconduct could disqualify a student for service. This includes repeated student misconduct and/or violations of Academic Integrity.
- 3) Submit a letter of recommendation from a faculty member or administrator from within the University community.

Student Senate provides students appointed to serve on the University Conduct Board and membership is also comprised of other student volunteers. Faculty Senate also appoints members of the Board who serve a designated term as noted by Faculty Senate. Additional membership is also included as faculty, administrative, and staff volunteers.

G. Interpretation and Revision

The Director of [Judicial Affairs-Student Engagement & Development](#) will develop procedural rules for the administration of hearings that are consistent with provisions of the *Student Code of Conduct*. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Director of [Judicial Affairs-Student Engagement & Development](#) may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this *Code*. The Director of [Judicial Affairs-Student Engagement & Development](#) may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the *Student Code of Conduct* will be referred to the Director of [Judicial Affairs-Student Engagement & Development](#), whose interpretation is final. The *Student Code of Conduct* will be updated annually under the direction of the Director of [Judicial Affairs-Student Engagement & Development](#) with a comprehensive revision process being conducted every 5 years.

SECTION 7: FORMAL CONDUCT PROCEDURES

University as Convener

The University is the convener of every action under this *Code*. Within that action, there are several roles. The responding student is the person who is alleged to have violated the Code. The reporting party, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses, who may offer information regarding the allegation. There is an investigator(s) whose role is to present the allegations and share the evidence that the University has obtained regarding the allegations.

Group Violations

Recognized Student Organization (RSO)

Hearing Procedures

University Conduct Board Jurisdiction over RSOs

Cases involving the alleged violation of any University policy or regulation, misconduct, or disruptive behavior by a RSO, or other groups in the process of becoming recognized.

- Cases may be heard against an RSO if students involved in the alleged offense belong to a particular RSO, or if the planning or leadership of an event where an alleged offense occurred are members of a particular RSO.
- The University Conduct Board shall also review appeals from student boards of whatever type that have imposed sanctions on a RSO. This review process is considered a document review to determine if the decision is fact based and sanctioning reasonable for the alleged violation(s).

Informal Hearings

Cases not involving the revocation of recognition may be heard informally, as specified by University procedures, with notice and the opportunity to be heard afforded to the RSO. The Director of the ~~Center for Leadership and Involvement (CLI)~~ [Department of Student Engagement and Development \(DSED\)](#), or his/her designee, will discuss the charges with representatives of the RSO and afford the RSO an informal hearing. Should justification be found, or should the alleged misconduct merit consideration of loss of recognition, the matter will be referred for a formal hearing.

Formal Hearings

Such hearings shall be conducted, as warranted, by the Office of Judicial ~~and Mediation Services Affairs~~ or the University Conduct Board. The University's rules of procedure for formal hearings shall provide RSOs with the following procedure guarantees:

- reasonable specific advanced written notice of charges containing a description of the alleged acts of misconduct, including time, date, and place of occurrence; and the rules of conduct allegedly violated by the RSO;
- reasonably advanced written notice of the date, time, and place of the hearing, unless such right is waived in writing by the RSO;
- a reasonably sufficient interval between the date of notification of charges and the date of the hearing, to allow the RSO to prepare a defense;
- an opportunity for submission of written physical and testimonial evidence, and for reasonable questioning of witnesses by the RSO and the accuser;
- an impartial hearing which may consist of a committee, board, panel, or individual appointed by the University;
- maintenance of a written summary or digital recording of the hearing at University expense, though RSO may be required to pay the cost of copies of requested records;
- a decision based upon presented evidence sufficient to make a reasonable person believe that a fact sought to be proved is more likely than not;
- a written adjudication in which the facts and reasons for the decision are set forth with reasonable specificity shall be issued within 30 working days after the close of the proceedings. In cases of alleged sexual misconduct, the reporting party or parties shall be informed of the outcome of the hearing;⁹ and
- a RSO may identify an advisor, who may be an attorney, to be present at hearings. The advisor may only consult and interact privately with the RSO, unless otherwise determined by the University regarding a particular case. In cases of alleged sexual assault, the accuser is entitled to have an advisor present at the hearing.

⁹ See (www.clarion.edu/sexualmisconduct) for more information.

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.

Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

Amnesty

1) For Reporting Parties

The University provides amnesty to reporting parties who may be hesitant to report to University officials because they fear that they themselves may be accused of policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.¹⁰

2) For Those Who Offer Assistance

To encourage students to offer help and assistance to others, University pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Director of [Judicial Affairs Student Engagement & Development](#), amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.

¹⁰ Records regarding the provision of amnesty, however, will be maintained.

3) For Those Who Report Serious Violations

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the University are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.

Abuse of amnesty requests can result in a decision by the Director of [Judicial Affairs-Student Engagement & Development](#) not to extend amnesty to the same person repeatedly.

4) Safe Harbor

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

Notice of Alleged Violation

Any member of the University community, visitor or guest may allege a policy violation(s) by any student for misconduct under this *Code* by submitting an incident report at www.clarion.edu/judicial, by contacting Judicial ~~and Mediation Services Affairs~~ in ~~212 Becht Hall~~ [260 Gemmell Student Center](#), or by working with Residence Life and Housing Staff to properly document an incident.

Notice may also be given to the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by the person experiencing the misconduct or a third party, and should be submitted as soon as possible after the offending event occurs. The University has the right to pursue an allegation or notice of

misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

The Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) will assume responsibility for the investigation of the alleged violation as described in the subsection below.

Investigation

The Director of [Judicial Affairs-Student Engagement & Development](#) or Title IX Coordinator will appoint an investigator(s) for allegations under this *Student Conduct of Code*.¹¹ The University may undertake a short delay in its investigation (several days to weeks, to allow evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. The University will promptly resume its investigation and resolution processes once notified by law enforcement that the initial evidence collection process is complete. University action will not typically be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

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

The investigator(s) will take the following steps, if not already completed by the Coordinator or designee.

- 1) Initiate any necessary remedial actions on behalf of the reporting party (if any).
- 2) Determine the identity and contact information of the reporting party, whether that person is the initiator of the allegation, the reporting party, or a University proxy or representative.

¹¹ For any allegation that falls under Title IX (e.g. sexual misconduct) or involves any other form of discrimination, the Director of [Judicial Affairs-Student Engagement & Development](#) will work under the direction of the Title IX Coordinator.

- 3) Conduct an immediate preliminary inquiry to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the allegation.
 - a) If the reporting party is reluctant to pursue the allegation, determine whether the allegation should still be pursued and whether sufficient independent evidence could support the allegation without the participation of the reporting party.
 - b) Notify the reporting party of whether the University intends to pursue the allegation regardless of their involvement, and inform the reporting party of their rights in the process and option to become involved if they so choose.
 - c) Preliminary inquiry usually takes between 1-7 business days to complete.
- 4) If indicated by the preliminary investigation and authorized by the Title IX Coordinator or Director of ~~Judicial Affairs~~ [Student Engagement & Development](#), conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated University policy, and to determine what specific policy violations should serve as the basis for the allegation.
 - a) If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action.
 - b) A comprehensive investigation usually takes between one day and two weeks, though longer investigations may be warranted in some cases.
- 5) Meet with the reporting party to finalize their statement, which will be drawn up by the investigator or designee as a result of this meeting.
- 6) Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding student, who may be given notice of the interview prior to or at the time of the interview.
 - a) Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during or after the responding student is interviewed, at the discretion of the investigator(s).

- 7) Interview all relevant witnesses, summarize the information they are able to share and have each witness sign the summary to verify its accuracy.
- 8) Obtain all documentary evidence and information that is available.
- 9) Obtain all physical evidence that is available.
- 10) If possible, provide written notification to the parties prior to their interviews that they may have the assistance of an advisor of their choosing present for all meetings attended by the advisee.
- 11) Provide reporting party and responding party with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures and a statement of the potential sanctions/responsive actions that could result.
- 12) Prior to the conclusion of the investigation, provide the reporting party and the responding party with a list of witnesses whose information will be used to render a finding.
- 13) Allow each party the opportunity to suggest questions they wish the investigators to ask of the other party and witnesses.
- 14) Provide parties with all relevant evidence to be used in rendering a determination and provide each with a full and fair opportunity to address that evidence prior to a finding being rendered.
- 15) Complete the investigation promptly, and without unreasonable deviation from the intended timeline.
- 16) Provide regular updates to the reporting party throughout the investigation, and to the responding party, as appropriate.
- 17) Once the report is complete, the report is shared with the parties for their review and comment. The investigators may incorporate feedback from the parties as appropriate.
- 18) Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline.
- 19) Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not) in consultation with the Director of [Judicial Affairs-Student Engagement & Development](#) and/or Title IX Coordinator.
- 20) Prepare an investigation report.
- 21) Present the investigation report and findings to the responding student, who may:
 - a) accept the findings;
 - b) accept the findings in part and reject them in part; or

c) reject all findings.

22) Share the findings and update the reporting party on the status of the investigation and the outcome.¹²

At any point during the investigation, if it is determined there is no reasonable cause to believe that University policy has been violated, the Director of [Judicial Affairs-Student Engagement & Development](#) and/or the Title IX Coordinator has authority to terminate the investigation and end resolution proceedings.

Witnesses (as distinguished from the parties) are expected to cooperate with and participate in the University's investigation and the conduct process. Failure of a witness to cooperate with and/or participate in the investigation or conduct process constitutes a violation of policy and may be subject to discipline. Witnesses may provide written statements in lieu of interviews during the investigation and may be interviewed remotely by phone, Skype (or similar technology), if they cannot be interviewed in person or if the investigators determine that timeliness or efficiency dictate a need for remote interviewing. Parties who elect not to participate in the investigation or to withhold information from the investigation do not have the ability to offer evidence later during the appeal if it could have been offered during the investigation. Failure to offer evidence prior to an appeal does not constitute grounds for appeal on the basis of new evidence.

No unauthorized audio or video recording of any kind is permitted during investigation meetings or other conduct proceedings.

[See comment for why I changed 3 days to 10 days below.](#)

Commented [TK1]: On page 47, #8 states that notification of the outcome will be made within 10 business days of the hearing.

¹² Where allegations fall within Title IX and/or VAWA Section 304, the following description of the sharing of the outcome will pertain to all steps in the process in which the outcome is shared. The appropriate administrator will inform the parties of the final determination within ~~three (3)~~ [ten \(10\)](#) days of the resolution, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official University records; or emailed to the parties' University-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The notification of outcome will specify the finding on each alleged policy violation, any sanctions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law. The notice will also include information on when the results are considered by the University to be final, any changes that occur prior to finalization, and any appeals options that are available.

Advisor

Each party is allowed to have an advisor of their choice present with them for all conduct meetings and proceedings, from intake through to final determination. The parties may select whomever they wish to serve as their advisor as long as the advisor is eligible and available, and usually otherwise not involved in the resolution process, such as serving as a witness. [An advisor may be permitted to serve as a character witness; however the responding/reporting party must request this, and approval will be given at the discretion of the Director of Student Engagement and Development \(or designee\).](#)—The advisor may be a friend, mentor, family member, attorney or any other supporter a party chooses to advise them who is available and eligible. Witnesses cannot also serve as advisors. The parties may choose advisors from inside or outside the campus community.

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 their advisees prepare for each meeting, and are expected to advise ethically, with integrity and in good faith. The University cannot guarantee equal advisory rights, meaning that 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 one.

All advisors are subject to the same campus rules, whether they are attorneys or not. Advisors may not address campus officials in a meeting or interview unless invited to. The advisor may not make a presentation or represent the reporting party or the responding party during any meeting or proceeding and may not speak on behalf of the advisee to the investigators or hearing panelists. The parties are expected to ask and respond to questions on their own behalf, without representation by their advisor. Advisors may confer quietly with their advisees or in writing as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors will typically be given an opportunity to meet in advance of any interview or meeting with the administrative officials conducting that interview or meeting. This pre-meeting will allow advisors to clarify any questions they may have, and allows the University an opportunity to clarify the role the advisor is expected to take.

Advisors are expected to refrain from interference with the investigation and resolution. Any advisor who steps out of their role will be warned once and only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting. When an advisor is removed from a meeting, that meeting will typically continue without the advisor present. Subsequently, the Director of [Judicial Affairs-Student Engagement & Development](#) and/or Title IX Coordinator will determine whether the advisor may be reinstated, may be replaced by a different advisor, or whether the party will forfeit the right to an advisor for the remainder of the process.

The University expects that the parties will wish to share documentation related to the allegations with their advisors. The University provides a consent form that authorizes such sharing.¹³ The parties must complete this form before the University is able to share records with an advisor, though parties may share the information directly with their advisor if they wish. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the University. The University may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the University's privacy expectations.

The University expects an advisor to adjust their schedule to allow them to attend University meetings when scheduled. The University does not typically change scheduled meetings to accommodate an advisor's inability to attend. The University will, however, make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video and/or virtual meeting technologies as may be convenient and available.

A party may elect to change advisors during the process, and is not locked into using the same advisor throughout. The parties must advise the investigators of the identity of their advisor at least one (1) day before the date of their first meeting with investigators (or as soon as possible if a more expeditious meeting is necessary or desired). The parties must provide timely notice to investigators if they change advisors at any time.

¹³ Please go to https://publicdocs.maxient.com/reportingform.php?ClarionUniv&layout_id=11 to complete the form for release of information.

Findings

The following options (1-3) describe how to proceed depending on whether the responding student is found responsible and whether the responding student accepts or rejects the findings and/or the sanctions either in whole or in part.

1) The Responding Student is Found “Not Responsible”

Where the responding student is found not responsible for the alleged violation(s), the investigation will be closed. The reporting party, if any, may request that the Vice President for Student Affairs review the investigation file to possibly re-open the investigation or convene a hearing. The decision to re-open an investigation or convene a hearing rests solely in the discretion of the Vice President for Student Affairs in these cases, and is granted only on the basis of extraordinary cause.

2) The Responding Student Accepts a Finding of “Responsible”

a) The Responding Student Accepts a Finding of “Responsible” and Accepts the Recommended Sanctions.

Should the responding student accept the finding that they violated University policy, the investigator will recommend appropriate sanctions for the violation. In cases involving discrimination, recommended sanctions will act to end the discrimination, prevent its recurrence, and remedy its effects on the reporting party and the University community. If the responding student accepts these recommended sanctions, the sanctions are implemented by the Director of ~~Judicial Affairs~~ [Student Engagement & Development](#) and the process ends. There will be a three-day period for review between the date of acceptance and when the resolution becomes final. Should the responding student decide to reject the sanctions within that time period, Option 2B, below, will apply. This outcome is not subject to appeal.

b) The Responding Student Accepts a Finding of “Responsible” and Rejects the Sanctions Recommended.

If the responding student accepts the “responsible” findings, but rejects the recommended sanctions, there will be a UCB hearing on the sanction, only. Hearing procedures are detailed below. [An appeal of the sanction\(s\) issued by a UCB may be filed by any party to the allegation as detailed below.](#)

3) Responding Student Rejects the Findings Completely or In-part

a) Responding Student Rejects the Findings Completely

Where the responding student rejects the finding that they violated University policy, a formal hearing will be convened within ~~seven~~ [fifteen](#) business days, barring exigent circumstances.

At the hearing, the investigator(s) will present their report to the panel, the panel will hear from the parties, and any necessary witnesses. The investigation report will be considered by the panel, which renders an independent and objective finding. UCB procedures are detailed below.

If the panel finds the responding student not responsible for all violations, the Director of ~~Judicial Affairs~~ [Student Engagement & Development](#) (or designee) will timely inform the parties of this determination and the rationale for the decision in writing. This determination is subject to appeal by any party to the allegation. Appeal review procedures are outlined below.

If the UCB finds a violation, it will determine sanctions/responsive actions and render a decision typically within ten (10) days of the hearing and timely notify the parties in writing. An appeal of [the finding\(s\) and/or](#) sanction(s) [issued by the UCB](#) may be filed by any party to the allegation as detailed below.

b) Responding Student Accepts the Findings in Part and Rejects in Part

Where the responding student rejects in part the finding that they violated University policy, there will be a formal hearing solely on the disputed

Commented [TK2]: I don't think 7 days is enough time for me to get a hearing scheduled. Also, it states on page 44 (at the very top) that students who deny violating the code, will be given a minimum of 7 days to prepare unless they want to proceed more quickly. I think extending it to 15 business days makes it more realistic, and will give the student(s) time to prepare (seek an advisor, witnesses, etc.).

allegations within ten business days, barring exigent circumstances. If the University Conduct Board finds a violation, it will determine sanctions/responsive actions and render a decision typically within 10 business days of the hearing and timely notify the parties in writing. For all findings holding a responding student responsible for a violation, the University will follow the sanctioning process detailed on pages [40-46-50](#) below. If the Panel finds the responding student “Not Responsible” on any of the contested allegations, the process will move to the Sanctioning Phase on only the uncontested allegations, as detailed on pages [40-46-50](#) below. An appeal of [the finding\(s\) and/or sanction\(s\) issued by the UCB](#) may be filed by any party to the allegation as detailed below.

Commented [TK3]: These page #'s will need updated based on the page this content is located on after the updates are made.

Commented [TK4]: These page #'s will need updated based on the page this content is located on after the updates are made.

Special Hearing Provisions for Sexual Misconduct, Discrimination and Other Allegations of a Sensitive Nature

All hearings under this sub-section will be conducted by a three member administrative University Conduct Board (UCB) drawn from the UCB pool. For sexual misconduct, discrimination and other allegations of a sensitive nature, whether the alleged reporting party is serving as the reporting party or as a witness, alternative testimony options may be provided, such as placing a privacy screen in the hearing room or allowing the alleged reporting party to testify from another room via audio or audio/video technology. While these options are intended to help make the reporting party more comfortable, they are not intended to work to the disadvantage of the responding student. Assistive technology will also be used for responding students if they are unable to attend in person but wish to participate. Examples would be to use telephone or video conferencing if that option is requested by the student and the UCB is able to accommodate. Ability to video conference is not guaranteed due to venue and technology limitations.

The past sexual history or sexual character of a party will not be admissible by the other parties in hearings unless such information is determined to be highly relevant by the panel Chair. All such information sought to be admitted by a party or the University will be presumed irrelevant until a showing of relevance is made, in advance of the hearing or in recess, to the Chair. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, or in the form of previous good faith allegations, will always be relevant to

the finding, not just the sanction, and will be admissible. To the extent possible, the parties will be notified in advance if any such information is deemed relevant and will be introduced in the hearing.

Interim Remedies/Actions

The Title IX Coordinator or Director of [Judicial Affairs—Student Engagement & Development](#) (or designee) may provide interim remedies intended to address the short-term effects of harassment, discrimination and/or retaliation, i.e., to redress harm to the reporting party and the community and to prevent further violations.

These remedies may include, but are not limited to:

- Referral to counseling and health services
- Education to the community
- Altering the housing situation of the responding party (or the reporting party, if desired)
- Altering work arrangements for employees
- Providing campus escorts
- Providing transportation accommodations
- Implementing contact limitations between the parties
- Implementing trespass restrictions on a party or parties
- Offering adjustments to academic deadlines, course schedules, etc.

The University will maintain as confidential any interim actions or protective measures, provided confidentiality does not impair the institution's ability to provide the interim actions or protective measures.

Statement of the Reporting Party's Rights:

- The right to investigation and appropriate resolution of all credible allegations of sexual misconduct or discrimination made in good faith to University officials;
- The right to be informed in advance of any public release of information regarding the incident;

- The right not to have any personally identifiable information released to the public, without their consent;
- The right to be treated with respect by University officials;
- The right to have University policies and procedures followed without material deviation;
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence;
- The right not to be discouraged by University officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities;
- The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the reporting party so chooses. This also includes the right not to be pressured to report, as well;
- The right to have reports of sexual misconduct responded to promptly and with sensitivity by campus law enforcement and other campus officials;
- The right to be notified of available counseling, mental health, victim advocacy, health, legal assistance, student financial aid, visa and immigration assistance, or other student services, both on campus and in the community;
- The right to a campus no contact order (or a trespass order against a student or non-affiliated third party) when someone has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the reporting party or others;
- The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual misconduct incident, if so requested by the reporting party and if such changes are reasonably available (no formal report, or investigation, campus or criminal, need occur before this option is available). Accommodations may include:

- o Change of an on-campus student's housing to a different on-campus location;
 - o Assistance from University support staff in completing the relocation;
 - o Transportation accommodations;
 - o Arranging to dissolve a housing contract and pro-rating a refund;
 - o Exam (paper, assignment) rescheduling;
 - o Taking an incomplete in a class;
 - o Transferring class sections;
 - o Temporary withdrawal; and
 - o Alternative course completion options.
- The right to have the University maintain such accommodations for as long as is necessary, and for protective measures to remain confidential, provided confidentiality does not impair the institution's ability to provide the accommodations or protective measures;
 - The right to be fully informed of campus policies and procedures as well as the nature and extent of all alleged violations contained within the report;
 - The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
 - The right to review all documentary evidence available regarding the report, subject to the privacy limitations imposed by state and federal law, prior to a finding by the appropriate administrator;
 - The right to be informed of the names of all witnesses whose information will be used to render a finding, in advance of that finding, except in cases where a witness's identity will not be revealed to the responding party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed);
 - The right not to have irrelevant prior sexual history admitted as evidence;
 - The right to regular updates on the status of the investigation and/or resolution;

- The right to have reports addressed by investigators and appropriate administrators who have received at least eight hours of annual sexual misconduct training;
- The right to preservation of privacy, to the extent possible and permitted by law;
- The right to meetings and/or interviews that are closed to the public;
- The right to petition that any University representative in the process be recused on the basis of demonstrated bias or conflict-of-interest;
- The right to bring a victim advocate or advisor of the reporting party's choosing to all phases of the investigation and resolution proceeding;
- The right to have the university compel the participation of student, faculty and staff witnesses, and the opportunity (if desired) to provide the investigators with a list of potential questions to ask of witnesses, and the right to challenge documentary evidence;
- The right to submit an impact statement in writing to the appropriate administrator following determination of responsibility, but prior to sanctioning;
- The right to be promptly informed of the outcome and sanction of the resolution process in writing, without undue delay between the notifications to the parties; and
- The right to be informed in writing of when a decision by the University is considered final, any changes to the sanction to occur before the decision is finalized, to be informed of the right to appeal the finding and sanction of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the University.

Statement of the Responding Party's Rights:

- The right to investigation and appropriate resolution of all credible reports of sexual misconduct and/or discrimination made in good faith to University administrators;

- The right to be informed in advance, when possible, of any public release of information regarding the report;
- The right to be treated with respect by University officials;
- The right to have University policies and procedures followed without material deviation;
- The right to be informed of and have access to campus resources for medical, health, counseling, and advisory services;
- The right to timely written notice of all alleged violations, including the nature of the violation, the applicable policies and procedures and possible sanctions;
- The right to review all documentary evidence available regarding the report, subject to the privacy limitations imposed by state and federal law, prior to the finding by the appropriate administrator;
- The right to be informed of the names of all witnesses whose information will be used to render a finding, prior to final determination, except in cases where a witness's identity will not be revealed to the responding party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed);
- The right not to have irrelevant prior sexual history admitted as evidence in a campus resolution process;
- The right to have reports addressed by investigators and appropriate administrators who have received annual training;
- The right to petition that any University representative be recused from the resolution process on the basis of demonstrated bias and/or conflict-of-interest;
- The right to meetings and interviews that are closed to the public;
- The right to have the University compel the participation of student, faculty and staff witnesses, and the opportunity to provide the investigators with a list of

potential questions to ask of witnesses, and the right to challenge documentary evidence;

- The right to have an advisor of their choice to accompany and assist throughout the campus resolution process;¹⁴
- The right to a fundamentally fair resolution, as defined in these procedures;
- The right to provide an impact statement in writing to the appropriate administrator following any determination of responsibility, but prior to sanctioning;
- The right to a decision based solely on evidence presented during the resolution process. Such evidence shall be credible, relevant, based in fact, and without prejudice;
- The right to be promptly informed of the outcome and sanction of the resolution process in writing, without undue delay between the notifications to the parties;
- The right to be informed in writing of when a decision of the University is considered final, any changes to the sanction to occur before the decision is finalized, to be informed of the right to appeal the finding and sanction of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the University.

Notice of Hearing

Once a determination is made that reasonable cause exists for the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) to refer an allegation for a hearing, notice will be given to the responding student. Notice will be in writing and may be delivered by one or more of the following methods: in person by the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee); mailed to the local or permanent address of the student as indicated in official University records; or emailed

¹⁴ See pages 29-30 for the role of an Advisor.

to the student's University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. The letter of notice will:

- 1) Include the alleged violation and notification of where to locate the *Student Code of Conduct* and University procedures for resolution of the allegation; and
- 2) Direct the responding student to contact the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) within a specified period of time to respond to the allegation. This time period will generally be no less than two days¹⁵ from the date of delivery of the summons letter.

A meeting with the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) may be arranged to explain the nature of the allegation and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee), whether they admit to or deny the allegations. If a student does not contact the Director of Student Engagement & Development (or designee) within the stated period of time, the student's case may be resolved in their absence by reviewing the information that is available. A student may choose to appeal the finding and/or sanctions of a case resolved in their absence based on the appeal guidelines outlined in this document.

Commented [TK5]: They would be allowed to appeal both the finding and sanction since they were absent from their hearing; and therefore, would not have been able to accept or reject responsibility or the sanctions.

Conduct violations that occur in campus housing (ex: noise violations, improper checkouts, prohibited items, fire safety, etc.), which result in a minimum sanction of a disciplinary warning being issued with responsibility being founded, may be adjudicated in the absence of the alleged student without notice of a hearing being provided to the student. This process may be utilized at the discretion of the Director of Student Engagement & Development (or designee). Students should be aware that a disciplinary warning in these types of incidents represents a reminder of the policy in place related to the alleged violation, and is not information that is released when a disciplinary check is conducted. Students who disagree with the finding and/or sanction issued in these incidents may submit an appeal in accordance with the standards for appeal established by the University.

Commented [TK6]: This would allow the Judicial Affairs student worker to hear these cases without providing notification to the student.

¹⁵ "Day", used throughout this document, refers to normal business days when the University is in operation.

Interim Action

Under the *Student Code of Conduct*, the Vice President of Student Affairs (or designee) may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of the *Student Code of Conduct* when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) business days pending the scheduling of a campus hearing on alleged violation(s) of the *Student Code of Conduct*. Interim suspensions may be required for more than ten (10) business days dependent on the investigation and/or other extenuating circumstances. A student who receives an interim suspension may request a meeting with the Vice President for Student Affairs or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with the scheduling of a campus hearing.

During an interim suspension, a student may be denied access to University housing and/or the University campus/facilities/events. As determined appropriate by the Director of ~~Judicial Affairs~~ [Student Engagement & Development](#), this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

Hearing Options & Preparation

Except in an allegation involving failure to comply with the summons of the Director of ~~Judicial Affairs-Student~~ [Engagement & Development](#) (or designee), no student may be found to have violated the *Student Code of Conduct* solely as a result of the student's failure to appear for a hearing. In all such instances, conduct hearings will proceed as scheduled and the information in support of the allegation will be presented to, and considered by the panel presiding over the hearing.

At any point prior to the hearing, where the responding student admits to violating the *Student Code of Conduct*, the Director of [Judicial Affairs–Student Engagement & Development](#) (or designee) may invoke administrative hearing procedures to determine and administer appropriate sanctions without a formal hearing. This process is also known as an *educational conference*. In an administrative conference, allegations will be heard and determinations will be made by the Director of [Judicial Affairs–Student Engagement & Development](#) or designee.

Where the responding student denies violating the *Student Code of Conduct* or rejects the sanctions that are issued during their administrative conference, a formal hearing will be conducted. This process is known as a University Conduct Board (UCB) hearing. At the discretion of the Director of Judicial Affairs (or designee), a request by one or more of the parties to the allegation for an administrative conference may be considered. Students who deny a violation for which a UCB hearing will be held will be given a minimum of seven days to prepare unless all parties wish to proceed more quickly. Preparation for a UCB hearing is summarized in the following guidelines:

1) Notice of the time, date and location of the hearing will be in writing and may be delivered by one or more of the following methods: in person by the Director of [Judicial Affairs–Student Engagement & Development](#) (or designee); mailed to the local or permanent address of the student as indicated in official University records; or emailed to the student’s University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. Redacted copies of the reports and other information for the case may be requested by the responding party by completing a request form found at www.clarion.edu/judicial.

2) The reporting party may fully participate in the hearing or may elect to have the University administration present the evidence. Where there is no reporting party, the University administration will serve as the reporting party.

3) If a responding student fails to respond to notice from the Director of [Judicial Affairs–Student Engagement & Development](#) (or designee), the Director of [Judicial Affairs–Student Engagement & Development](#) (or designee) may initiate an allegation for failure to comply with the directives of a University official and give

Commented [TK7]: My understanding is that all cases go to administrative conference before UCB regardless of a student's request.

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notice of this offense. Unless the student responds to this notice within three (3) days by answering the original notice, an administrative conference may be scheduled and held on the student's behalf. As a result, the student may be administratively withdrawn from attending classes or a disciplinary hold may be placed on their University account, deeming them ineligible to register for courses or University housing until such time as the student responds to the initial allegation.

4) At least three (3) days before any scheduled formal hearing, the following will occur:

- a) The responding student will deliver to the Director of [Judicial Affairs Student Engagement & Development](#) (or designee) a written response to the allegation;
- b) The responding student will deliver to the Director of [Judicial Affairs Student Engagement & Development](#) (or designee) a written list of all suggested eye witnesses they plan to call at the hearing and including any character witnesses;
- c) The responding student will deliver to the Director of [Judicial Affairs Student Engagement & Development](#) (or designee) all physical evidence the student intends to use or needs to have present at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Director of [Judicial Affairs-Student Engagement & Development](#) can arrange for its presence;
- d) The reporting party will deliver to the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) a written list of all suggested witnesses for the University to call at the hearing;
- e) The reporting party will deliver to the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) all items of physical evidence needed at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Director of [Judicial Affairs-Student Engagement & Development](#) can arrange for its presence; and

f) The reporting party and the responding student will notify the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) of the names of any advisors/advocates who may be accompanying the parties at the hearing.

5) The Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) will ensure that the hearing information and any other available written documentation is shared with the parties at least two (2) days before any scheduled hearing. In addition, the parties will be given a list of the names of all the UCB members in advance. Should any party object to any panelist, that party must raise all objections, in writing, to the Director of [Judicial Affairs-Student Engagement & Development](#) immediately. A UCB member will only be unseated if the Director of [Judicial Affairs-Student Engagement & Development](#) concludes that their bias precludes an impartial hearing of the allegation. Additionally, UCB members who feel they cannot make an objective determination must recuse themselves from the proceedings.

University Conduct Board (UCB) Hearing Procedures

The Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) will appoint one UCB member as the Chair for the hearing. The parties have the right to be present at the hearing; however, they do not have the right to be present during deliberations. If a student cannot attend the hearing, it is that student's responsibility to notify the Director of [Judicial Affairs-Student Engagement & Development](#) no less than three (3) days prior to the scheduled hearing to arrange for another date, time and location. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum three (3) day notice, or if the responding student fails to appear, the hearing will proceed as scheduled. If the reporting party fails to appear, the allegation may be dropped unless the University chooses to pursue the allegation on its own behalf, as determined by the Director of [Judicial Affairs-Student Engagement & Development](#).

The Director of [Judicial Affairs-Student Engagement & Development](#) (or designee), and the Chair and the voting UCB members will conduct UCB hearings according to the following guidelines:

- 1) Hearings will be closed to the public.
- 2) Admission to the hearing of persons other than the parties involved will be at the discretion of the board chair and the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee).
- 3) In hearings involving more than one responding student, the standard procedure will be to hear the allegations jointly; however, the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student.
- 4) The reporting party, the responding student, the panel, and the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) will have the privilege of questioning all present witnesses and questioning all present parties (directly or through the Chair, at the discretion of the Chair). Unduly repetitive witnesses can be limited at the discretion of the UCB Chair.
- 5) Pertinent records, exhibits, and written statements may be accepted as information for consideration by the UCB. Formal rules of evidence are not observed. The Chair may limit the number of character witnesses presented or may accept written affidavits of character instead.
- 6) All procedural questions are subject to the final decision of the Chair. The Chair may consult the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee).
- 7) After a panel hearing, the panel will deliberate and determine, by majority vote, whether it is more likely than not that the responding student has violated the *Student Code of Conduct*. The Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) will be present and available as a resource during all

deliberations. Once a finding is determined, if the finding is that of a policy violation, the UCB will determine an appropriate sanction(s). The Director of [Judicial Affairs—Student Engagement & Development](#) (or designee) is responsible for informing the UCB of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student. The Chair will prepare a written deliberation report and deliver it to the Director of [Judicial Affairs—Student Engagement & Development](#) (or designee), detailing the recommended finding, how each member voted, the information cited by the panel in support of its finding and/or sanctions, and any information the panel excluded from its consideration and why. This report should conclude with any sanctions and recommended remedies. This report should not typically exceed two pages in length and must be submitted to the Director of [Judicial Affairs—Student Engagement & Development](#) within two (2) days of the end of deliberations.

- 8) The Director of [Judicial Affairs—Student Engagement & Development](#) (or designee) will implement the UCB's finding and sanctions and will communicate that outcome to the parties within 10 business days of the hearing. Notification will be made in writing and may be delivered by one or more of the following methods: in person by the Director of [Judicial Affairs—Student Engagement & Development](#) (or designee); mailed to the local or permanent address of the student as indicated in official University records; or emailed to the student's University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.
- 9) In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each. The notice will include the findings, any sanctions and a rationale therefor, as well as the right to be informed of when the decision is considered final, any changes to the sanction that occur before the decision is finalized, to be informed of the right to appeal the finding and sanction of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the University.
- 10) There will be a single verbatim record, such as an audio recording, for all UCB hearings. Deliberations will not be recorded. The record will be the property of

the University and maintained according to the University's record retention policy.

Conduct Sanctions

One or more of following sanctions may be imposed upon any student for any single violation of the *Student Code of Conduct*:

- 1) *Warning*: An official written notice that the student has violated University policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
- 2) *Restitution*: Compensation for damage caused to the University or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
- 3) *Educational Opportunities*: Include but are not limited to Online Judicial Modules, workshops for alcohol, controlled substances, and quality of life concerns. Additionally, students may be required to participate in the Judicial Mentoring Program, or other opportunities tailored to preventing recidivism.
- 4) *Fines*: Reasonable fines may be imposed.
- 5) *Community/University Service Requirements*: For a student or organization to complete a specific supervised University service.
- 6) *Loss of Privileges*: The student will be denied specified privileges for a designated period of time.
- 7) *Confiscation of Prohibited Property*: Items whose presence is in violation of University policy will be confiscated and will become the property of the University. Prohibited items may be returned to the owner at the discretion of the Director of ~~Judicial Affairs~~ [Student Engagement & Development](#) and/or University Police.

- 8) *Behavioral Contract*: This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
- 9) *Educational Program*: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
- 10) *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
- 11) *University Housing Probation*: Official notice that, should further violations of Residence Life and Housing or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.
- 12) *University Housing Reassignment*: Reassignment to another University housing facility. Residential Life and Housing personnel will decide on the reassignment details.
- 13) *University Housing Suspension*: Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University housing may be specified. Under this sanction, a student is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life and Housing. Students may be responsible for any applicable fees and will be required to pay applicable damage and cleaning fees. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the student must gain permission from the Director of Residence Life and Housing (or designee). This sanction may include restrictions on visitation to specified buildings or all University housing during the suspension.

14) *University Housing Expulsion*: The student's privilege to live in, or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary. Students may be responsible for any applicable fees and will be required to pay applicable damage and cleaning fees.

15) *University Probation*: The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.

16) *Eligibility Restriction*: The student is deemed "not in good standing" with the University for a specified period of time. Specific limitations or exceptions may be granted by the Director of [Judicial Affairs Student Engagement & Development](#) and terms of this conduct sanction may include, but are not limited to, the following:

- a) Ineligibility to hold any office in any student organization recognized by the University or hold an elected or appointed office at the University; or
- b) Ineligibility to represent the University to anyone outside the University community in any way including: participating in the study abroad program, attending conferences, or representing the University at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

17) *University Suspension*: Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of [Judicial Affairs Student Engagement & Development](#). During the suspension period, the student is banned from University property, functions, events and activities without prior written approval from the Director of [Judicial Affairs Student Engagement & Development](#). This sanction may be enforced with a trespass action as necessary.

This sanction will be noted as a Conduct Suspension on the student's official academic transcript.

- 18) *University Expulsion*: Permanent separation from the University. The student is banned from University property and the student's presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction will be noted as a Conduct Expulsion on the student's official academic transcript.
- 19) *Withholding Diploma*: The University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending, or as a sanction if the student is found responsible for an alleged violation.
- 20) *Revocation of Degree*: The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation or other violation of University policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation. This sanction is issued with the approval of the Provost.
- 21) *Other Sanctions*: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Director of [Judicial Affairs-Student Engagement & Development](#) or designee.

The following sanctions may be imposed upon groups or organizations found to have violated the *Student Code of Conduct*:

- 1) One or more of the sanctions listed above, specifically 1) through 9) and 15) through 17); and/or
- 2) Deactivation, de-recognition, loss of all privileges (including status as a University registered group/organization), for a specified period of time.

Parental Notification

The University reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The University may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by the Family Educational Rights and Privacy Act (FERPA) or consent of the student.

Notification of Outcomes

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under FERPA , except in cases where the University determines through the student conduct process that a student violated a policy that would constitute a “crime of violence” or nonforcible sex offense. In such cases, the University may release the name of the student, the policies allegedly violated, that they were found in violation, and any sanctions that result for the following offenses:

- 1) Arson
- 2) Assault offenses (includes stalking)
- 3) Burglary
- 4) Criminal Homicide—manslaughter by negligence
- 5) Criminal Homicide—murder and nonnegligent manslaughter
- 6) Destruction/damage/vandalism of property
- 7) Kidnapping/abduction
- 8) Robbery
- 9) Forcible sex offenses
- 10) Non-forcible sex offenses
- 11) Stalking
- 12) Dating Violence and Domestic Violence

Failure to Complete Conduct Sanctions

All students, as members of the University community, are expected to comply with conduct sanctions within the timeframe specified by the Director of [Judicial Affairs](#) [Student Engagement & Development](#) (or designee). Failure to follow through on conduct

sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from the University and may be noted on, or with, the student's official transcript at the end of the semester. In such situations, resident students will be required to vacate University housing within 24 hours of notification by the Director of [Judicial Affairs Student Engagement & Development](#), though this deadline may be extended upon application to, and at the discretion of the Director of Residence Life and Housing and/or the Director of [Judicial Affairs Student Engagement & Development](#). A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Director of [Judicial Affairs Student Engagement & Development](#).

Appeal Review Procedures

Any party may request an appeal of the decision of the UCB/Educational Conference by filing a written request to the Director of [Judicial Affairs Student Engagement & Development](#) or to the Title IX Coordinator, if appropriate, subject to the procedures outlined below. ~~All sanctions imposed by the original hearing body remain in effect unless an exception is granted upon request to the Director of Judicial Affairs or Title IX Coordinator, if appropriate, and- If a student submits an appeal within the timeframe listed below, the sanctions that were issued by the hearing body will not be in effect while the appeal is being reviewed. Instead, the sanctions will only go into effect should the appeal officer decide to uphold the sanctions issued by the board; at which point, the sanctions would take effect immediately at the conclusion of the appeal process.~~ ^aAll parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

GROUND FOR APPEAL REQUESTS

Appeals requests are limited to the following grounds:

- 1) A procedural error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);

- 2) To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
- 3) The sanctions imposed are substantially outside the parameters or guidelines set by the University for this type of offense or the cumulative conduct record of the responding student.

Appeals must be filed in writing through an electronic form with the Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) within ~~three (3)~~five (5) business days of the notice of the outcome to the hearing, barring exigent circumstances. If an appeal is not submitted within five (5) business days of the notice of the outcome of the hearing, then the outcome will be considered final. Any exceptions are made at the discretion of the Director of [Judicial Affairs-Student Engagement & Development](#) and, when appropriate, the Title IX Coordinator. The online appeals form may be found at www.clarion.edu/judicial under 'Student Conduct Resource Forms'.

The Director of [Judicial Affairs-Student Engagement & Development](#) (or designee) will share the appeal by one party with the other party (parties) when appropriate under procedure or law (e.g., if the responding student appeals, the appeal is shared with the reporting party, who may also wish to file a response, request an appeal on the same grounds or different grounds). The Director of [Judicial Affairs-Student Engagement & Development](#) will refer the request(s) to the University's designated Appeal Review Officer, appointed by the President. The Appeal Review Officer will draft a response memorandum to the appeal request(s), based on their determination that the request(s) will be granted or denied, and why. All request-related documents are shared with all parties prior to submission to the Appeal Review Officer, ~~who serves a renewable three-year term.~~

The Appeal Review Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the Director of [Judicial Affairs-Student Engagement & Development](#) and/or Title IX Coordinator on any procedural or substantive questions that arise.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final. If the appeal has standing, the Appeal Review

Officer determines whether to reconsider the finding or sanction or to remand it to investigators or the original decision-maker(s), typically within ~~10-15~~ business days. The Appeal Review Officer will notify the student if the matter was remanded back to the UCB or Administrative Hearing Officer.

Commented [TK8]: Shawn requested this be extended to 15 days.

~~Efforts should be made to use remand whenever possible, with clear instructions for reconsideration only in light of the granted appeal grounds.~~ Where the original decision-maker may be unduly biased by a procedural error, a new UCB or hearing officer will be constituted to reconsider the matter, which can in turn be appealed, once. A final decision if remanded back to the UCB or Administrative Hearing Officer will be made within ~~10~~ 15 business days.

Commented [TK9]: I completely removed this sentence, but it is addressed on the next page in the 2nd bullet point. It is changed so that the appeal officer will primarily review the appeal, but may choose to remand in certain situations.

Full re-hearings by the Appeal Review Officer are not permitted. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The Appeal Review Officer must limit the review to the challenges presented.

On reconsideration, the Appeal Review Officer or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Procedural errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the Appeal Review Officer are to be made within ~~ten-fifteen (10)-(15)~~ days of submission and are final, as are any decisions made by the original hearing body, Director of [Judicial Affairs-Student Engagement & Development](#) or Title IX Coordinator as the result of reconsideration consistent with instructions from the Appeal Review Officer.

The parties may challenge the Appeal Review Officer on the basis of potential bias, and an Appeal Review Officer who cannot render an impartial decision must recuse themselves. The Appeals Review Officer will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the Appeals Review Officer will solicit an alternate, trained officer.

The presumptive stance of the University is that all decisions made and sanctions imposed by the original decision-maker ~~are to be implemented will be postponed until completion of the during the~~ appellate process. ~~At the discretion of the Director of Judicial Affairs, and in consultation with the Title IX Coordinator when necessary, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeals Review Officer and Director of Judicial Affairs, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.~~

Commented [TK10]: We are reverting back to what we previously had in the Rights and Regs so the findings/sanctions will not go in place, if a student appeals, until the appeal process is completed.

OTHER GUIDELINES FOR APPEALS

- All parties will be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.
- ~~Every opportunity~~The appeal review officer will typically complete the appellate review, but may choose to return the appeal to the original decision-maker for reconsideration (remand) ~~should be pursued.~~
- Appeals are not intended to be full re-hearings of the allegation (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal; Witnesses may be called if necessary.
- Appeals are not an opportunity for the Appeal Review Officer to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

Commented [TK11]: Since this is not what we do in our appeal process, should this be removed??

Withdrawal While Charges Pending

The University does not permit a student to withdraw if that student has an allegation pending for violation of the *Student Code of Conduct*. Should a student decide to leave and/or not participate, the process will nonetheless proceed in the student's absence to a reasonable resolution and that student will not be permitted to return to University unless all sanctions have been satisfied. The student will not have access to an academic transcript until the allegations have been resolved.

Disciplinary Records

All conduct records are maintained by the University for seven (7) years from the time of their creation except those that result in separation (suspension or expulsion, including from housing) and those that fall under Title IX, which are maintained indefinitely.

Failure to Complete Sanctions/Comply with Interim and Long Term Remedies/Responsive Actions

All responding parties are expected to comply with conduct sanctions, responsive actions and corrective actions within the timeframe specified by the Director of [Judicial Affairs Student Engagement & Development](#) and/or Title IX Coordinator. Failure to abide by these conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension, expulsion from the University and will be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Director of [Judicial Affairs Student Engagement & Development](#) and/or Title IX Coordinator.

Disabilities Accommodation

Clarion University is committed to providing qualified students, employees or others with disabilities with reasonable accommodations and support needed to ensure equal access to the student conduct process at the University. Anyone needing such accommodations or support should contact the Director of Disability Support Services (109 Becht Hall), who will review the request and, in consultation with the person requesting the accommodation, and Director of [Judicial Affairs-Student Engagement & Development](#) and/or the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation.

Revision

These policies and procedures will be reviewed and updated annually by the Director of [Judicial Affairs-Student Engagement & Development](#) and the Title IX Coordinator. The

University reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect. The Director of [Judicial Affairs Student Engagement & Development](#) and/or the Title IX Coordinator may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules, etc. The Director of [Judicial Affairs Student Engagement & Development](#) and/or Title IX Coordinator may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred. Policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution, unless the parties consent to be bound by the current policy. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such codes generally.

This policy and procedure was implemented on [July 1, 2017](#).

Commented [TK12]: This will need updated once the edits are finalized.
The date in the footer will also need updated.

It is the policy of Clarion University of Pennsylvania that there shall be equal opportunity in all of its educational programs, services, and benefits, and there shall be no discrimination with regard to a student's or prospective student's gender, gender identity, race or color, ethnicity, national origin or ancestry, age, mental or physical disability, religion or creed, genetic information, affectional or sexual orientation, veteran status, or other classifications that are protected under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and other pertinent state and federal laws and regulations. Direct inquiries to the Title IX Coordinator, Clarion University of Pennsylvania, ~~403 Carrier Administration Building~~ 210 Becht Hall, sfenske@clarion.edu or phone 814-393-2351, or the Director of Social Equity, 210 Carrier Administration Building 16214-1232; Email asalsgiver@clarion.edu or phone 814-393-2109. Inquiries may also be directed to the Director of the Office for Civil Rights, Department of Education, 330 Independence Avenue, SW, Washington, DC 20201.

Clarion University Community Standards

Alcohol and Other Drug Policy

To comply with the Drug Free Schools and Communities Act of 1989 (DFSCA) and subsequent amendments, students and employees of Clarion University are informed that strictly enforced policies are in place which prohibit the possession, use or distribution of any illicit drugs, including alcohol, on Clarion University property or as part of any Clarion University-sponsored activity unless event-specific permission is given for of-age students to consume alcohol moderately. Students and employees are also subject to all applicable legal sanctions under local, state and federal law for any offenses involving illicit drugs on Clarion University property or at Clarion University-sponsored events.¹

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

Students exhibiting signs of excessive alcohol consumption will be transported via Emergency Medical Services (EMS) at the student's expense for medical attention. Refusal to cooperate with EMS personnel may result in arrest in order to ensure the student's health and safety and/or a conduct complaint for disorderly conduct and/or failure to comply.

A. Parental Notification Policy

Clarion University is concerned about students who improperly use alcohol and other drugs and the effects such use may have on their health, academic success, interpersonal relationships and, ultimately, their future.

¹ Pennsylvania Crimes Code (Alcohol)

<http://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/18/00.063.008.000..HTM>

Last updated ~~01/24/2017~~

Clarion University alcohol policy expressly forbids possession and/or consumption of alcohol by students, employees or guests who are under the minimum legal drinking age of 21 years. Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is also prohibited. In accordance with the Family Educational Rights and Privacy Act (FERPA), the Director of [Judicial Affairs-Student Engagement and Development](#) (or designee) reserves the right to notify the parents/guardians of students under 21 years of age, and the parents/guardians of dependent students, regardless of age, of any incident in which the student is found responsible for violating the Clarion University alcohol and drug policy.

B. Alcohol Policy

The following sections describe Clarion University policy regarding the sale, service, distribution, and consumption of alcoholic beverages ~~on University property or at University sponsored events~~ in accordance with federal, state and local laws. [The alcohol policy is applicable to all Clarion University students regardless of whether the actions take place on or off University property or at Clarion University-sponsored events, programs, or activities.](#)

Basic Guidelines

~~Students who are 21 years of age or older are permitted to possess and consume alcohol in their personal bedroom at Reinhard Villages.~~ Students who are of legal drinking age may not share or provide alcohol to any ~~one students, employees or guests who are is~~ under 21 years of age. Those under the minimum legal drinking age of 21 years are not permitted to possess or consume alcohol ~~anywhere on University property or at University sponsored events~~. Drinking games, and simulated drinking games (e.g. water pong) are prohibited ~~on campus~~. [No alcohol is permitted on campus or in University-affiliated-housing; however, students who are 21 years of age or older are permitted to possess and consume alcohol in their personal bedroom at Reinhard Villages. If everyone in an apartment at Reinhard Villages is 21, then alcohol can be possessed and consumed in the common areas of the apartment.](#)

The Office of the President reserves the right to have designated events [on campus](#) where alcohol may be present.

Examples of Violations of the Clarion University Alcohol Policy

- Purchasing alcohol by a person under the age of 21.

Last updated ~~01/24/2017~~

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- Selling or providing alcohol to a person under the age of 21.
- Possessing either full or empty alcohol containers by a person under the age of 21.
- Consuming alcohol by a person under the age of 21.
- Showing physical or mental impairment following or resulting from alcohol use.
- Possessing empty alcohol containers for decorative purposes [in campus housing, regardless of age](#).
- Using or possessing common sources of alcohol including, but not limited to kegs, party balls, punch bowls, wine boxes, etc.
- Participating in or being present during the occurrence of any drinking game.
- Possession of beer bong, beer pong tables, and other devices used or manipulated for use in any drinking game.
- Possessing an open container of alcohol in a common area including, but not limited, to bathrooms, hallways, lounges, elevators, lobbies or outdoor spaces.
- Driving under the influence of alcohol.
- Violations of Clarion Borough Ordinance related to open containers.
- Public Intoxication.
- Over Intoxication in a University Housing building or other campus building.

As stated in Section 4 of the *Student Code of Conduct*, “failure to comply with the reasonable directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so”, is considered unacceptable behavior for a University student. An example of such behavior includes refusing to submit to a breath test when requested by a police officer, whether on or off-campus, which is considered a violation of the University *Student Code of Conduct* and may result in conduct sanctions.

Examples of Clarion University alcohol policy violations and their sanctions ~~is~~ are listed below. Sanctions are dependent upon a number of factors including, but not limited to: hearing officer discretion, the nature and severity of the incident, a student’s conduct history and a student’s cooperation throughout the conduct process.

a) *Minor in Possession/Consumption of Alcohol Policy Violations:*

1. First Offense—Possible sanctions and institutional actions include, but are not limited to:

Last updated [01/24/2017](#)

- Participation in an alcohol education activity (BASICS), at the student's expense and as determined by the Director of [Judicial Affairs-Student Engagement and Development](#) (or designee);
 - Online Judicial Educator Module(s);
 - Notification of parents/guardians of dependent students and those under the minimum legal drinking age of 21 years;
 - Reprimand up through suspension or expulsion from housing and/or the University; and/or
 - Other sanctions as determined by the Director of [Judicial Affairs-Student Engagement and Development](#) (or designee).
2. Second Offense— Possible sanctions and institutional actions include, but are not limited to:
- Mandated substance abuse assessment by an approved agency and required compliance with the assessing counselor's evaluation;
 - Judicial Mentoring Program mandated meetings;
 - Authorship of a research/reflection essay;
 - Notification of parents/guardians of dependent students and those under the minimum legal drinking age of 21 years;
 - Reprimand up through suspension or expulsion from housing and/or the University; and/or
 - Other sanctions as determined by the Director of [Judicial Affairs-Student Engagement and Development](#) (or designee).
3. Third and Subsequent Offenses— Possible sanctions and institutional actions include, but are not limited to:
- Suspension or expulsion from University housing and/or the University;

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- Notification of parents/guardians of dependent students or those under the minimum legal drinking age of 21 years; and/or
- Other sanctions as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee).

b) *Purchasing, Selling or Providing Alcohol to Minors:*

1. First Offense— Possible sanctions and institutional actions include, but are not limited to:

- Judicial Mentoring Program mandated meetings;
- Mandated substance abuse assessment by an approved agency and required compliance with the assessing counselor's evaluation;
- Participation in an alcohol education activity (BASICS), at the student's expense and as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee);
- Authorship of a research/reflection essay;
- Notification of parents/guardians of dependent students or those under the minimum legal drinking age of 21 years;
- Notification of law enforcement authorities;
- Eligibility restrictions;
- Reprimand up through suspension or expulsion from housing and/or the University;
- Community service hours to be performed at a specific location as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee); and/or

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- Other sanctions as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee).

2. Second and Subsequent Offenses— Possible sanctions and institutional actions include, but are not limited to:

- Suspension or expulsion from the University;
- Notification of law enforcement authorities;
- Notification of parents/guardians of dependent students or those under the minimum legal drinking age of 21 years; and/or
- Other sanctions as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee).

c) *Driving Under the Influence/Driving While Intoxicated*: Clarion University is concerned about students who violate state and local laws regarding consumption of alcohol and the operation of motor vehicles. In accordance with state law, the University abides by the legal definition of *intoxicated* as “not having the normal use of mental or physical faculties by reason of introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body” or at least a 0.08 Breath or Blood Alcohol Concentration. In addition, students under the legal minimum drinking age of 21 years who are found to have any detectable amount of alcohol in their systems will be considered driving under the influence of alcohol and subject to penalties under that offense.

1. First Offense— Possible sanctions and institutional actions include, but are not limited to:

- Loss of driving and/or parking privileges on campus for a specified period of time;
- Participation in an alcohol education activity (BASICS), at the student’s expense and as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee);

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- Community services hours to be performed at a specific location as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee);
- Authorship of a research/reflection essay;
- Notification of parents/guardians of dependent students or those under the minimum legal drinking age of 21 years;
- Eligibility restrictions; and/or
- Reprimand up through suspension or expulsion from the University;
- Other sanctions as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee).

2. Second and Subsequent Offenses — Possible sanctions and institutional actions include, but are not limited to:

- Suspension or expulsion from the University;
- Notification of law enforcement authorities;
- Notification of parents/guardians of dependent students and those under the minimum legal drinking age of 21 years; and/or
- Other sanctions as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee).

C. Illegal Drug Policy

Clarion University prohibits the sale, manufacture, distribution, possession, and use of illegal drugs on or off Clarion University property or at Clarion University-sponsored events, programs, or activities.

The following sections describe Clarion University's policy regarding the sale, manufacture, distribution, possession and use of illegal drugs on or off Clarion University property or at Clarion University-sponsored events in accordance with federal, state and local laws. Examples of violations include:

- Misuse of over-the-counter drugs.

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- Misuse or sharing of prescription drugs.
- Possessing, using, being under the influence of, distributing, or manufacturing any form of illegal drug.
- Possessing paraphernalia (i.e., rolling papers, pipes, bongs, etc.) for intended or implied use of any form of illegal drug.
- Possessing paraphernalia that contains or appears to contain illegal drug residue.
- Purchasing or passing illegal drugs from one person to another.
- Using mail services to purchase, pass, or distribute illegal drugs.

This policy provides flexibility for Clarion University in addressing drug-related offenses which occur on- or off-campus. Moreover, it permits Clarion University to address its fundamental mission of holistic education and the development of human potential. While recognizing that there is a need to address violations related to the use or possession of controlled substances, Clarion University must address the education and well-being of all its students and employees. In addition to Clarion University-imposed sanctions, students and employees are subject to all legal sanctions under federal, state and local law for any offenses involving illegal drugs on Clarion University property or at Clarion University events.²

Safe Harbor

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

Violations of Clarion University Illegal Drug Policy

Examples of Clarion University drug policy violations and their subsequent sanctions include the following.

- a) *Manufacture, Sale or Distribution of Illegal Drugs:*

² Drug Offenses: Maximum Fines and terms of Imprisonment for Violation of the Federal Controlled Substances Act and Related Laws: <https://www.fas.org/sgp/crs/misc/RL30722.pdf>.

Last updated ~~01/24/2017~~

1. First Offense—Possible sanctions include, but are not limited to:

- Expulsion or suspension from Clarion University;
- Notification of parents/guardians of students under 21 years of age and older dependent students;
- Notification of law enforcement authorities; ~~and/or~~
- Participation in a drug education activity (CASICS), at the student's expense and as determined by the Director of Student Engagement and Development (or designee); and/or
- Other sanctions as determined by the Director of ~~Judicial Affairs~~ Student Engagement and Development (or designee).

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b) *For the Possession or Use of Drug Paraphernalia, Synthetic Substances and/or Illegal Drugs:* Drug paraphernalia (e.g. bong), illegal drugs, and synthetic substances (e.g. K2, Spice, Bath Salts, and the like) whose common purpose is to replicate the effects of illegal substances are prohibited on campus.

1. First Offense—Possible sanctions include, but are not limited to:

- Suspension or expulsion from Clarion University housing;
- Expulsion or suspension from Clarion University. A suspension may be for a period of not less than the remainder of the semester in which the infraction occurred;
- Participation in a drug education activity (CASICS), at the student's expense and as determined by the Director of ~~Judicial Affairs~~ Student Engagement and Development (or designee);
- Mandated substance abuse assessment by an approved agency and required compliance with the assessing counselor's evaluation;
- Judicial Educator Modules;

Last updated ~~01/24/2017~~

- Authorship of a research/reflection essay;
- Notification of parents/guardians of students under 21 years of age and older dependent students;
- Notification of law enforcement authorities; and/or
- Other sanctions as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee).

2. Second Offense— Possible sanctions include, but are not limited to:

- Expulsion or suspension from Clarion University;
- Notification of parents/guardians of students under 21 years of age and older dependent students;
- Notification of law enforcement authorities; and/or
- Other sanctions as determined by the Director of [Judicial Affairs Student Engagement and Development](#) (or designee).

Last updated [01/24/2017](#)

Free Speech Policy

Clarion University supports every individual's right to freedom of expression consistent with the forum (area of campus) in which the expression is made. Clarion University also recognizes the importance of fostering a culture of tolerance and civility that is a cornerstone for the accomplishment of its educational goals.

Within the classroom, visual and/or oral demonstrations, depictions or conduct that may be offensive to an individual will not be restricted when there is a legitimate pedagogical context, such as material having an appropriate connection to course subject matter. Similarly, campus discourse on topics of political, artistic or social issues that are conducted consistent with the nature of the forum and reasonable institutional limitations (registration to use certain spaces; time, place and manner regulations, etc.) that are clear and unambiguous will be supported.

Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc. occurring completely outside of Clarion University's control (e.g. not on University networks, websites or between University email accounts) will only be subject to this policy when those online behaviors can be shown to cause a substantial on-campus disruption. Otherwise, such communications are considered speech protected by the 1st Amendment. Remedies for such conduct will be provided, but protected speech cannot be legally subjected to discipline.

Expression that is severe, persistent, and objectively offensive, that is directed toward an individual based upon that individual's protected status (e.g., sex/gender, race, ethnicity, national origin, disability or age) and has the effect of limiting or denying educational or employment access, benefits or opportunities (creates a hostile environment) is not a protected form of speech or expression, and can form the basis of a violation of the campus harassment, bullying, or discrimination policies. Other limitations on free speech include: endangering someone or threatening them; inciting violence; using "fighting words" directed at an individual or group that directly provoke violence; defamation; obscenity; and expression that has a discriminatory effect such that it limits or denies someone's educational or employment access, benefits and/or opportunities.

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Assembly Policy

Clarion University's campus primarily exists to serve as the vehicle through which its students, faculty, and staff advance the institution's educational Mission. As a public university, part of that mission includes encouraging the free exchange of viewpoints and ideas by individuals or groups regardless of their affiliation with the University. The University also has a significant interest in furthering its educational mission and protecting the educational experience of its students by ensuring the safety and security of the campus.

Clarion University acknowledges the rights of individuals, regardless of their affiliation to the University, to assemble in groups. Therefore, anyone may distribute printed material, offer petitions for signature, make speeches, and hold protests or demonstrations outside university buildings. All such activities must avoid acts or credible threats of violence and preserve the normal operation of the University.

This policy prohibits harm to others, damage to or defacement of property, blockage of access to University buildings, or the disruption of classes. The enforcement of this policy will not depend in any way on the message or sponsorship of the act or event. Should events be deemed by the University Administration to interfere with the operation of the University, jeopardize the public safety, and/or fail to abide by the standards set forth above, the University Police may take any actions they deem appropriate, including ending the event. Failure to abide by the directives of the University Police may result in citation and/or arrest.

Gambling Policy

Students are expected to abide by the federal laws and the laws of the Commonwealth of Pennsylvania prohibiting illegal gambling, including online gaming. Gambling for money or other things of value on campus or at Clarion University-sponsored events is prohibited except as permitted by law. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools on any Clarion University athletic event; possessing on one's person or premises (e.g., room, residence unit, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's phone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to athletic events.

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Guest Speakers Policy

It is the policy of the campus to foster a spirit of free inquiry and to encourage the timely discussion of the broad range of issues that concern our community, provided that the views expressed are stated openly and are subject to critical evaluation.

A. Student Organization Responsibilities

A recognized student organization may invite guest speakers to the campus, subject to the following provisions:

- a) Sponsorship must be by an institutionally recognized student organization.
- b) Proper arrangements for the use of University facilities must be made, consistent with institutional policy.
- c) It must be clear that the student organization, not Clarion University, is extending the invitation and that any views the speaker may express are his or her own and not those of Clarion University.
- d) The student organization must take whatever steps are necessary to ensure that the event is conducted in an orderly manner. This may necessitate consultation with University Police and/or hiring of outside security.
- e) The student organization must comply with any and all conditions for the orderly and scholarly conduct of the event.

Anti-Hazing Policy

All acts of hazing are prohibited. Students are entitled to be treated with consideration and respect and no student or Clarion University registered student club or organization shall engage in an act that is likely to cause physical or psychological harm to any other person within Clarion University community. Furthermore, any such behavior is expressly forbidden when related to the admission, initiation, pledging, joining, continued membership in, or any other group-affiliation activity.

Any student, club or organization found to be involved in any hazing activity will face conduct action and may be subjected to suspension or expulsion from Clarion University. A violation of this policy may exist irrespective of any alleged voluntary or consensual participation in the activity by the person(s) being abused.

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In addition, the Commonwealth of Pennsylvania has made hazing a criminal offense. Hazing is deemed criminal misconduct and is a misdemeanor of the third degree. 24 P.S. § 5351 *et seq.*

Under Pennsylvania’s Anti-Hazing Law, “hazing” is defined as follows:

Any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

Examples of Hazing Include the Following:

- a) Clem was inducted into an unrecognized club that was made up of some members of Clarion University marching band. As part of the induction activities, Clem was asked to do calisthenics half-naked in extreme heat at the request of club leaders. Clem was told he did not have to do them, but that all members did them and it improved their on-field stamina. Clem voluntarily engaged in the calisthenics. *This type of behavior violates the hazing policy, regardless of the “voluntariness” of Clem’s decision.*
- b) Rick joined Omega Pi Lambda, a fraternity. His pledge class took an oath not to haze, and was repeatedly warned of the fraternity’s anti-hazing policy by

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current members. Rick's pledge class had heard of the long history of hazing that had gone on in their fraternity before they joined, and they felt like they were missing out. All the members had earned their stripes, but Rick's class was under new rules. They wanted to prove themselves to their brothers, so one night, Rick and his pledge class secretly invaded Rho Mu Alpha, and stole their flag. The following Sunday, in a solemn presentation, Rick and his cohorts presented the flag of their rival to their chapter leaders, who accepted it with honor and much conversation about how the covert mission was accomplished. The leaders of Omega Pi Lambda faced accusations of violating Clarion University's abusive affiliation policy. They argued that they did not take the flag, and expressly told the new initiates not to haze. *Clarion University found them in violation for encouraging the activity by accepting the flag, glamorizing its theft, and failing to report the behavior to Clarion University officials once they were aware of it.*

Pennsylvania Anti-Hazing Law

The Commonwealth of Pennsylvania has made hazing a criminal offense. Hazing is deemed criminal misconduct and is a misdemeanor of the third degree. 24 P.S. § 5351 *et seq.* Under Pennsylvania's Anti-Hazing Law, "hazing" is defined as follows:

Any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual,

Last updated [01/24/2017](#)

or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

Pennsylvania's Anti-Hazing Law requires each institution of higher education to adopt a written anti-hazing policy and, pursuant to that policy, adopt rules prohibiting students or other persons associated with any organization operating under the sanction of or recognized as an organization by the institution from engaging in any activity which can be described as hazing.

Policies adopted pursuant hereto shall apply to acts conducted on- or off-campus whenever such acts are deemed to constitute hazing.

Posting

Clarion University supports the freedom to publicize events and distribute materials by internal or external entities relating to functions on-and off-campus which benefit the Clarion University community and are consistent with Clarion University's values.

General Posting Policy

The university reserves the right to regulate the time, place, and manner of the posting and distribution of printed material on campus and in all University facilities. The University is not responsible for monitoring the content of publicity materials developed by individual students, Recognized Student Organizations (RSOs) or off-campus entities.

Printed Material

~~Bulletin boards that can be used for public posting are identified in each facility where one is available. The Center for Leadership & Involvement, 251 Gemmell, maintains a list of bulletin board locations on campus where printed material can be posted.~~

All posted material must be placed on bulletin boards designated for that purpose. Such information may not be placed on motor vehicles, attached to windows, doors, walls or any surface not designated as a bulletin board.

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Materials may not exceed 11" by 17."

The name of the individual or organization responsible must be clearly visible on any material posted.

Some facilities may have additional requirements for posting materials:

Carlson Library –

Materials for posting in the library including, but not limited to, posters, fliers, table tents, etc. must be dropped off in the Dean's office in 123 Carlson. Please note a plan for removal of these postings shall be required when dropping off the items.

Chartwells Operated Dining Facilities –

Individuals or groups wishing to post materials (i.e. posters, fliers, table tents, etc.) in Chartwells operated dining facilities (i.e. Carlson Café, Eagle Commons, Gemmell Snack Bar, Starbucks, or Denny's Den) must make arrangements with the facilities' manager.

Gemmell Student Complex –

Materials for posting in the student center must be dropped off at the second-floor Gemmell Information Desk (251 Gemmell).

Residence Halls –

Materials for posting within the residence halls on campus must be dropped off at the Office of Residence Life and Housing (218 Becht Hall) and will be stamped by the Office prior to being posted. A maximum of 68 copies can be posted.

Student Recreation Center –

Materials for posting on Rec Center bulletin boards must be dropped off at the Rec Center front desk.

Chalking –

Chalking is permitted on campus as a means of advertising events. Chalking is permitted only on outside, horizontal, exposed surfaces where rain can wash the chalk away. Chalking is not permitted on vertical surfaces, buildings, under overhangs, or on steps, posts, trees, tables or similar objects. Violations of this policy may result in University judicial action and/or criminal prosecution.

Failure to adhere to this policy may also result in losing the privilege to distribute or post printed materials on campus for a period of time to be specified by the Director of the

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Office of Residence Life and Housing or the Director of the ~~Center for Leadership and Involvement~~ [Department of Student Engagement and Development](#).

Literature Distribution

Literature distribution must be supervised by a student member of the sponsoring recognized student organization, department, or administrative area. Non-students may not distribute literature on campus without sponsorship by a recognized student organization, department, or administrative area.

Each sponsoring organization will be held responsible for the conduct of the distribution activity, including the behavior of any non-student participant.

On Campus: Calling out to people to facilitate the distribution of literature is not permitted. Absolutely no printed materials may be placed on automobiles parked on Clarion University property.

Off Campus: Posting or distribution of materials at an off-campus location requires permission of the proprietor. All applicable laws and local ordinances apply.

Sales and Solicitation

Canvassing or solicitation for funds, sales, or subscriptions is prohibited on campus or in Clarion University buildings unless written permission has been granted by the Clarion Students' Association (or designee). Additionally, outside and for-profit groups are not allowed to sell items or solicit members of the Clarion University community on campus without prior approval from the Clarion Students' Association (or designee).

Posters, flyers and other event advertisements pertaining to sales and solicitation for funds, sales or subscriptions must be approved by the Clarion Students' Association (or designee) prior to posting or distribution.

The sale of merchandise, or publications or service on Clarion University property, other than by contracted vendors, authorized stores, restaurants, departments or divisions of Clarion University, is likewise prohibited except upon written permission of the Clarion Students' Association (or designee).

Last updated [01/24/2017](#)

Policy on Sexual Misconduct Equal Opportunity, Harassment, Nondiscrimination

www.clarion.edu/sexualmisconduct

OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO PHYSICAL SEXUAL MISCONDUCT

- The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing, and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Previous consent does not imply consent to sexual activity in the future. Silence or passivity — without actions demonstrating permission — cannot be assumed to show consent. Consent, once given, can be withdrawn at any time. There must be a clear indication that consent is being withdrawn.
- Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.
- Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a "no."

Last updated [01/24/2017](#)

Recognized Student Organizations (RSO) Misconduct

Actions of recognized student organizations (RSOs) in good standing with Student Senate, and groups in the process of becoming recognized are subject to review. Failure to operate in accordance with the information contained in the *Student Code of Conduct*, *Community Standards*, or other policy and procedural documents may result in an organizational disciplinary hearing. Sanctions may range from a documented verbal reprimand to the revocation of University recognition and the privileges associated with such recognition. The administrator of the code may charge the RSO, the individual members involved, or both with a violation.

RSOs are responsible for ensuring that all applicable federal, state, and local laws, as well as University policies, are being upheld and enforced during any and all functions sponsored by the organizations regardless of whether they are held on- or off-campus.

The serving of alcoholic beverages by a RSO to any student which contributes to subsequent conduct by that student that causes the student to be charged under the University Code is prohibited.

RSOs must comply with authorized requests of properly identified University officials.

The University cannot assist with, cooperate in, approve, or otherwise condone any activity which involves the violation of the laws of the commonwealth. Therefore, a RSO which utilizes University facilities and hospitality in the advertisement of such an activity, or which is found to have engaged in such activity, shall be in violation of University policy.

All on-campus functions sponsored by RSOs must be registered in compliance with the policies and procedures of Conference and Events Services.

RSOs are expected to comply with Pennsylvania's Anti-Hazing Law (24 P.S. § 5351 *et seq.*) and the Clarion University Anti-Hazing Policy (see policy in this document).

RSOs wishing to engage in fund-raising activities must complete and receive approval through the fundraising process in CU CONNECT. Permission is limited to RSOs in good standing with Student Senate, and groups in the process of becoming recognized.

Last updated [01/24/2017](#)

Administrative Policies Regarding Fraternities & Sororities

The University expects the operation and activities of general fraternities and sororities to comply with all applicable federal, state and local laws, as well as all University, governing council and inter/national organization policy.

Eligibility

- Perspective new members must have earned a minimum of 12 credit hours, have a cumulative grade point average of at least 2.5 or meet the organization's specified minimum standard to join, whichever is higher, and have minimum 2.0 GPA the semester before affiliating before they can be offered an invitation to join. Students transferring to Clarion University will be declared eligible provided that they had cumulative grade point average of at least 2.5 and have minimum 2.0 GPA the semester before affiliating at their previous institution and are transferring at least 12 credit hours.
- The Center for Leadership and Involvement (CLI) will process Eligibility Verification Forms on a continuous basis and distribute an eligibility list on a regular basis, to be determined at the beginning of each semester.
- No potential new member may be offered an invitation to join or extended a bid until his/her eligibility has been confirmed by the CLI.
- Once a bid has been accepted, a signed individual bid acceptance form must be turned into the CLI within 24 hours after it has been signed.
- While this policy prohibits general fraternities and sororities from offering invitations of membership to students without a Clarion University GPA and transfer student with less than 12 credit hours, fraternities and sororities are permitted to have contact with such students for the purposes of generating future interest in Greek life.

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New Member Education Programs

Each semester, the chapter officer responsible for administering the organization's new member educator is required to meet with a member of the CLI staff before the new member education program begins. The officer should bring a detailed, written copy of the program to this meeting. Additionally, chapters should complete the Bid Acceptance Form and submit it to the CLI 24-hours after bid acceptance.

Depledges

In the event that a new member depledges at any point in the semester, a depledged form must be turned into the CLI. In the event that a Depledge Form is not received, the individual(s) in question will remain on the chapter's grade report for that semester and may be removed from the chapter's roster the following semester.

Initiation

Each chapter is required to submit an Initiation Form to the CLI within 48 hours after new members are initiated into the organization.

Communication

In addition to complying with Student Senate's RSO Policy, all chapter presidents, advisors, and Interfraternity Council (IFC) and Panhellenic Council (PHC) delegates must join the IFC or PHC CU CONNECT group. These individuals are responsible for checking the page on a regular basis and ensuring that all information communicated is relayed to their respective chapter.

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Rosters

Each chapter is required to keep their roster in CU CONNECT up-to-date, as that is what the University considers to be the “official roster”. These rosters will be used for billing IFC/PHC membership dues. Any revisions to the roster should be made in CU CONNECT by 5:00 PM on the Friday of the second week of classes during both fall and spring semesters.

Scholarship Reports

Each semester, the CLI will compile scholarship reports for each individual chapter, as well as for the entire Greek community. Preliminary reports for each semester will be distributed at the beginning of the following semester. The final report will be generated 30 days after the first day of class the following semester. No adjustments will be made to the official grade report after that time.

- In the event that new member depledges at any point in the semester, a depledged form must be turned into the CLI. In the event that a depledged form is not received, the individual(s) in question will remain on the chapter’s grade report for that particular semester.

Social Functions

Fraternities and sororities are required to register all social functions where alcohol is present with CLI at least 48 hours prior to the event and include a guest list. For the purpose of this document, a “social function” is defined as a mixer, party, date party, brotherhood/sisterhood event, formal/semiformal, parent event, alumni event or any situation sponsored or endorsed by the chapter at which there is the possession, use and/or consumption of alcoholic beverages regardless of whether it occurs on or off the chapter’s premises.

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Fraternity & Sorority Housing

While Clarion University does not recommend, inspect, or otherwise approve off-campus housing, the University expects the operation and activities of general fraternities and sororities, and their members, to comply with all applicable federal, state and local laws, as well as all University, governing council and inter/national organization policy while on chapter premises, during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event or residence that an observer would associate with a chapter.

Policy Violations

- In the event that CLI becomes aware of alleged violations of this, or any other University policy, the director of CLI will review the alleged violation to determine whether or not the adjudication of the offense should best be handled through a formal or informal hearing. If the violation is deemed serious enough to warrant a formal hearing, the matter will be referred to the Office of Judicial & Mediation Services for review. If it is deemed that an informal hearing is warranted, the matter will be referred to the director of CLI for review. These hearings will be conducted in accordance with the Disciplinary Procedures Code outlined in the *Student Code of Conduct*.
- Each chapter is expected to utilize their internal disciplinary process to adjudicate alleged violations of organizational standards/expectations/policies and/or institutional policies by its members and notify the CLI of the outcomes of all such hearings.
- In accordance with the *Student Code of Conduct*, decisions resulting from either an informal hearing, or a council judicial body, may be appealed to the Office of Judicial & Mediation Services.

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Recognized Student Organization (RSO)

Hearing Procedures

University Conduct Board Jurisdiction over RSOs

- Cases involving the alleged violation of any University policy or regulation, misconduct, or disruptive behavior by a RSO, or other groups in the process of becoming recognized.
- Cases may be heard against an RSO if students involved in the alleged offense belong to a particular RSO, or if the planning or leadership of an event where an alleged offense occurred are members of a particular RSO.
- The University Conduct Board shall also hear appeals from student boards of whatever type that have imposed sanctions on a RSO.

Informal Hearings

Cases not involving the revocation of recognition may be heard informally, as specified by University procedures, with notice and the opportunity to be heard afforded to the RSO. The director of CLI, or his/her designee, will discuss the charges with representatives of the RSO and afford the RSO an informal hearing. Should justification be found, or should the alleged misconduct merit consideration of loss of recognition, the matter will be referred for a formal hearing.

Formal Hearings

Such hearings shall be conducted, as warranted, by the Office of Judicial ~~and Mediation Services- Affairs~~ or the University Conduct Board. The University's rules of procedure for formal hearings shall provide RSOs with the following procedure guarantees:

- reasonable specific advanced written notice of charges containing a description of the alleged acts of misconduct, including time, date, and place of occurrence; and the rules of conduct allegedly violated by the RSO;
- reasonably advanced written notice of the date, time, and place of the hearing, unless such right is waived in writing by the RSO;
- a reasonably sufficient interval between the date of notification of charges and the date of the hearing, to allow the RSO to prepare a defense;

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- an opportunity for submission of written, physical, and testimonial evidence, and for reasonable questioning of witnesses by the RSO and the accuser;
- an impartial hearing which may consist of a committee, board, panel, or individual appointed by the University;
- maintenance of a written summary or digital recording of the hearing at University expense, though the RSO may be required to pay the cost of copies of requested records;
- a decision based upon presented evidence sufficient to make a reasonable person believe that a fact sought to be proved is more likely than not;
- a written adjudication in which the facts and reasons for the decision are set forth with reasonable specificity shall be issued within 30 working days after the close of the proceedings. In cases of alleged sexual assault, the accuser shall be informed of the outcome of the hearing; and
- a RSO may identify an advisor, who may be an attorney, to be present at hearings. The advisor may only consult and interact privately with the RSO, unless otherwise determined by the University regarding a particular case. In cases of alleged sexual assault, the reporting party is entitled to have an advisor present at the hearing.

Smoking Policy

Clarion University of Pennsylvania complies with the Pennsylvania Clean Indoor Air Act. The Clean Indoor Air Act (Act 27 of 2008) prohibits smoking in a public place or a workplace. All University facilities are public and, as a result, smoking is prohibited in all University facilities. Smoking at the Hilltop Suites, Suites on Main, and Reinhard Villages is prohibited within 25 feet of any residential building.

In addition, the University treats smokeless tobacco and electronic smoking devices in the same manner in which other tobacco products are treated. As a result, smokeless tobacco and electronic smoking devices are prohibited in all University facilities.

All employees and students share in the cooperative responsibility of compliance with this policy. Students, faculty and staff have the responsibility to advise their visitors or guests of this policy. When conflicts arise, the health of the nonsmoker will prevail. Employees and students who do not comply with this policy will be subject to the same disciplinary actions that accompany noncompliance with other Clarion University rules and/or policies.

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The Clery Act

The Student Right to Know and Campus Security Act of 1990 (now known as the Clery Act) is a federal mandate which requires that all current students and employees be provided with information on policies and procedures involving campus security, the reporting of criminal action or other emergencies, and the enforcement authority of security personnel. This information must also include descriptions of programs for students and employees about campus security and crime prevention, as well as statistics on the occurrence of specific crimes. Notification of the annual security report is made by Clarion University's Chief of Police and the full report is posted on the Clarion University website each October.

<http://www.clarion.edu/student-life/campus-safety/annual-safety-report/index.html>

Hardcopies are available from University Police on request.

Policy on Clarion University-Initiated Medical Leaves

Introduction

The following policies and procedures are to be used to help transition a student to a safer environment more conducive to their needs when it becomes clear that remaining at Clarion University is not in the best interest of the student or Clarion University community. This policy also allows for a student to take a leave voluntarily when medical conditions or psychological distress make a leave in their best interest; its goal is to define the length of separation, outline the path to re-entry and ease the transition for the student's return, and to optimize the opportunities for the student's success when they return. Under certain conditions, if a student has not opted to take a leave voluntarily, Clarion University may institute an involuntary leave under this policy.

A. Student-Initiated Voluntary Leave of Absence

Students may initiate a leave or withdrawal from Clarion University for medical or psychological reasons. At the discretion of the Vice President for Student Affairs (or designee), and subject to the refund policies of the institution, arrangements may be made for partial or complete refund of tuition and/or fees. Incomplete grades or other academic accommodations may be made as well, subject to the academic policies of Clarion University. Modifications to housing contracts may also be possible. The normal Clarion University procedures for leave or withdrawal will be

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followed, including any documentation requirements. If a student takes a voluntary leave, the leave documentation will specify the duration of the leave and options for extension. The student is permitted to return upon the end of the leave, and expectations for successful return will be outlined in writing to the student at that time.

Students who elect to fully withdraw, rather than take a leave, are required to reapply for admission after the time specified by the Office of Enrollment Management, and will be treated as any other applicant for admission at that time.

B. Clarion University-Initiated Medical Leave

If a student poses a direct threat of harm to others, or causes Clarion University to have a legitimate safety concern of harm to self, the Vice President for Student Affairs (or designee) may initiate proceedings under the *Student Code of Conduct*. Students who engage in threats to others or self-harm behaviors that cause a significant disruption to the community may also be subject to the *Student Code of Conduct*.

a) Standard for Clarion University-Initiated Medical Leave on the Basis of Threat of Harm to Others

This section applies to all medical leaves from housing or from Clarion University for any student who is at significant risk of harm to others. The objective of Clarion University is to determine whether it is more likely than not that a student is a direct threat. When a student is a direct threat, they may be placed on leave until they are no longer a direct threat.

A direct threat exists when a student poses a significant risk to the health or safety of others. A significant risk constitutes a high probability of substantial harm. Significance will be determined by:

- The duration of the risk;
- The nature and severity of the potential harm;
- The likelihood that the potential harm will occur; and
- The imminence of the potential harm.

Clarion University must determine whether reasonable modifications to policies, practices or procedures will sufficiently mitigate the risk.

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Determining that a student is a direct threat requires an objective and individualized assessment and hearing. The assessment must be based on a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence. This standard also applies to the reinstatement of a student who has been placed on leave. They are entitled to return upon showing they no longer pose a direct threat of harm to others. Clarion University's Behavioral Assessment Referral Team will assist in this determination.

b) Standard for Clarion University-Initiated Medical Leave on the Basis of Self Harm Behaviors

Self-harming behaviors that significantly disrupt normal Clarion University activities will be subject to the *Student Code of Conduct*. Potentially lethal or acute self-harming behaviors, such as suicide attempts, are addressed under this policy as legitimate safety concerns. When Clarion University, using the process outlined below, determines that a student poses a legitimate safety concern of harm to self, the Clarion University-Initiated Medical Leave process can be invoked.

Status of Conduct Proceedings:

If the student has been accused of a violation of the *Student Code of Conduct*, but it appears that the student is not capable of understanding the nature or inappropriateness of the action, this policy may be activated prior to issuance of a determination in the conduct process. Interim suspension for threat of harm to others or a legitimate safety risk to self will also likely be imposed.

If the student is placed on medical leave from Clarion University, or another action is taken under these provisions following a finding that the student's behavior was the result of a lack of capacity, such action terminates the pending conduct action. If the student is found not to be subject to medical leave, conduct proceedings may be reinstated.

Referral for Assessment or Evaluation

The appropriate official (or Behavioral Assessment and Referral Team) may refer or mandate a student for evaluation by a campus or independent licensed psychiatrist or

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psychologist (or licensed professional counselor, social worker, licensed clinical social worker, etc.) chosen by Clarion University. Such evaluation may be appropriate if it is believed that the student may meet the criteria set forth in this policy or if a student subject to conduct proceedings provides notification that information concerning a mental health/behavioral condition or disorder will be introduced.

Students referred or mandated for evaluation will be so informed in writing with personal and/or certified delivery, and will be given a copy of these standards and procedures. The evaluation must be completed per the direction of the referral letter, unless the Vice President for Student Affairs (or designee) grants an extension. A student who fails to complete the evaluation in accordance with these standards and procedures, and/or who fails to give permission for the results to be shared with appropriate administrators, will be referred for conduct action for "Failure to Comply" under the *Student Code of Conduct*.

Clarion University-Initiated Medical Leave Hearing Procedures

a. Administrative Hearing Option

The Vice President for Student Affairs (or designee) may invoke informal resolution procedures to determine the need for an involuntary leave without a formal hearing. This process is also known as an *administrative hearing or conference*. In administrative hearings, medical and administrative evidence (e.g. BART assessment) will be introduced, and final determinations will be made by the Vice President for Student Affairs (or designee). If the medical evaluation and/or administrative assessment (e.g. BART assessment) support the need for a leave, the Vice President for Student Affairs will render a written decision within two business days, barring exigent circumstances, stating the rationale for his/her determination. The decision will be delivered to the student directly, electronically, and/or by regular and certified mail. If the determination is made that a leave is warranted, the notification will include information regarding how long the leave may endure, as well as specifying any conditions of reinstatement. If other actions are pending, the appropriate individuals will be notified and may proceed with their actions.

b. Formal Hearing Option

The student subject to a Clarion University-initiated medical leave may request a formal hearing in lieu of the administrative hearing described above. If the medical evaluation and/or administrative assessment (e.g. BART assessment) support the need for a leave, a hearing will be scheduled before the Vice President for Student Affairs (or designee), and core members of Clarion

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University administration. The student will be informed, in writing electronically and through regular and/or certified delivery, of the time, date and place of the hearing. The student will be given at least two business days to independently review the psychological or psychiatric evaluation prior to the hearing. The student will be notified of who is expected to present information at the hearing, and is expected to notify the Vice President for Student Affairs (or designee) of any parties with relevant information whom the Vice President should contact to request their appearance at the hearing as a witness. The student may, at the discretion of the Vice President for Student Affairs (or designee), be assisted by an advisor in the hearing. The student is permitted to have an attorney present to attend/advise, but no advisor will be allowed to speak for or formally represent the student during a medical leave hearing, unless the Vice President grants an exception, such as in cases of incapacity.

The student or the student's advisor may present information about the necessity and appropriateness of medical leave and the student will be given the opportunity to ask questions of others presenting information. The hearing should be conversational and non-adversarial; however, the Vice President for Student Affairs (or designee) will exercise active control over the proceeding, to include deciding who may present information. Formal rules of evidence will not apply. Anyone who disrupts the hearing may be excluded. There will be a single verbatim record, such as a tape recording, for all involuntary leave hearings. The record will be the property of Clarion University and maintained according to Clarion University's record retention policy for such hearings.

A written decision will be rendered by the committee on the basis of a preponderance of evidence within two business days, barring exigent circumstances, and will state the rationale for its determination. The decision will be delivered to the student in writing electronically and through regular and/or certified delivery. If the determination is made that a leave is warranted, the notification will include information regarding how long the leave may endure, as well as specifying any conditions of reinstatement. If other actions are pending, the appropriate individuals will be notified and may proceed with their actions.

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c. *Appeals Process*

The determination of the medical leave hearing, administrative or formal, is subject to appeal to the Vice President for Student Affairs in accordance with the following process:

Students subject to Clarion University-initiated medical leave may petition for a review of the determination within three (3) business days of issuance of the hearing committee's written decision. All petitions must be in writing and delivered to the Vice President for Student Affairs (or designee). Reviews will only be considered for one or more of the following purposes:

- To consider new information which was unavailable at the time of the original hearing and could be outcome determinative;
- To assess whether a material deviation from written procedures impacted the fairness or outcome of the hearing;
- To decide if a medical leave is inappropriate to address the nature, duration and/or severity of the risk or threat;
- To determine if the decision does not align with the information provided in the hearing or whether reasonable modifications might mitigate the risk without a leave; or
- To assess whether bias on the part of a hearing committee member deprived the process of impartiality.

Except as required to explain the basis of new information unavailable at the time of a hearing, review of a hearing will be limited to the verbatim record of the initial hearing and/or all supporting documents. The review and appeal decision of the Vice President for Student Affairs (or designee) is final.

C. Readmission Following a Clarion University or Student-Initiated Medical Leave

A student who is seeking reinstatement to Clarion University after Clarion University-initiated medical leave must receive clearance by providing the Vice President for Student Affairs written evidence from a licensed medical or mental health professional that the student is no longer a direct threat to others or a legitimate safety concern, and is otherwise qualified to participate in Clarion University's educational programs. Any other conditions outlined in accordance with this policy

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and/or any conduct sanctions must also be completed. A hearing or referral to the BART, as outlined above, may be held to determine whether the student is qualified to return.

It is the policy of Clarion University of Pennsylvania that there shall be equal opportunity in all of its educational programs, services, and benefits, and there shall be no discrimination with regard to a student's or prospective student's gender, gender identity, race or color, ethnicity, national origin or ancestry, age, mental or physical disability, religion or creed, genetic information, affectional or sexual orientation, veteran status, or other classifications that are protected under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and other pertinent state and federal laws and regulations. Direct inquiries to the Title IX Coordinator, Clarion University of Pennsylvania, ~~103 Carrier Administration Building~~ [210 Becht Hall](#), sfenske@clarion.edu or phone 814-393-2351, or the Director of Social Equity, 210 Carrier Administration Building 16214-1232; Email asalsgiver@clarion.edu or phone 814-393-2109. Inquiries may also be directed to the Director of the Office for Civil Rights, Department of Education, 330 Independence Avenue, SW, Washington, DC 20201.

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Student Academic Rights and Regulations & Academic Student Code of Conduct Policy

Preamble

Clarion University of Pennsylvania exists for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable for the attainment of these goals.

As members of the university community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Academic freedom is essential to this community of scholars.

Students and recognized organizations are cautioned that any material posted on the Internet, including social networking sites and Internet blogs is not private or protected information. You may be held accountable for content posted in this manner and information obtained from this source may be considered in cases of misconduct. For complete information on the potential consequences of posting inappropriate content on an internet site, please visit www.clarion.edu/judicial.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the university community.

Student Rights In the Classroom Environment

The professor in the classroom and in conference shall encourage free discussion, inquiry, and expression. Student performance shall be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

Students shall be free to take reasonable exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors, coaches, advisors, and counselors shall be considered

confidential. Judgments of ability and character may be provided with the knowledge and consent of the student. Students may protest improper disclosure.

Education Complaint Process

In compliance with 34 CFR 668.43(b) Code of Federal Regulation and U.S. Department of Education (USDOE) rules, an institution offering distance education must “provide its students or prospective students with contact information for filing complaints with its accreditor and with its State approval or licensing entity and any other relevant State official or agency that would appropriately handle a student’s complaint.”

Clarion University of Pennsylvania encourages all current, former, and prospective students, regardless of their residency, to FIRST submit any grievances, complaints, or concerns directly to Clarion University as follows. For complaints or concerns,

1. Related to a particular class, students should follow the procedures and policies outlined in Clarion University’s undergraduate and graduate catalogs and the Rights, Regulations, and Procedures handbook. The student should first discuss the problem with the faculty member who issued the grade. If not resolved to the student’s satisfaction, they should then discuss the matter with the appropriate department chairperson.
2. Unrelated to a particular class, complete the Online Educational Complaint Form.
3. If students feel the issue cannot be resolved by the university, the Pennsylvania State System of Higher Education or its accreditor, the Middle States Commission on Higher Education.

The Online Educational Complaint Form may be examined at https://publicdocs.maxient.com/reportingform.php?ClarionUniv&layout_id=5

Grade Appeal Process

Disagreements between students and faculty members concerning grades, yet not related to alleged violation of the academic honesty policy, should be appealed in the following manner. The student should first discuss the problem with the faculty member who issued the grade. If not resolved to the student’s satisfaction, they should then discuss the matter with the appropriate department chair. Subsequent appeals may be heard in private conference with the student or in a conference involving both the student and faculty member by the college dean and provost, in that order. The decision of the provost shall be final. Should the department chair be the faculty member who issued the grade in question, the student may proceed immediately to a meeting with the college dean after discussing the grade with the faculty member.

Should the dean be the faculty member who issued the grade in question, the student should proceed to a meeting with the appropriate department chair after discussing the grade with the course instructor; a subsequent appeal may be made to the Provost. Student, faculty member, and department chair must be informed of the decision at each administrative level. All grade appeals must be initiated no later than six months after the final course grade has been issued.

Cases involving an alleged violation of students' academic rights may be heard by the University Conduct Board. A student who has a grievance involving academic rights must file a complaint with the vice president for student affairs to initiate the hearing.

Academic Integrity Policy

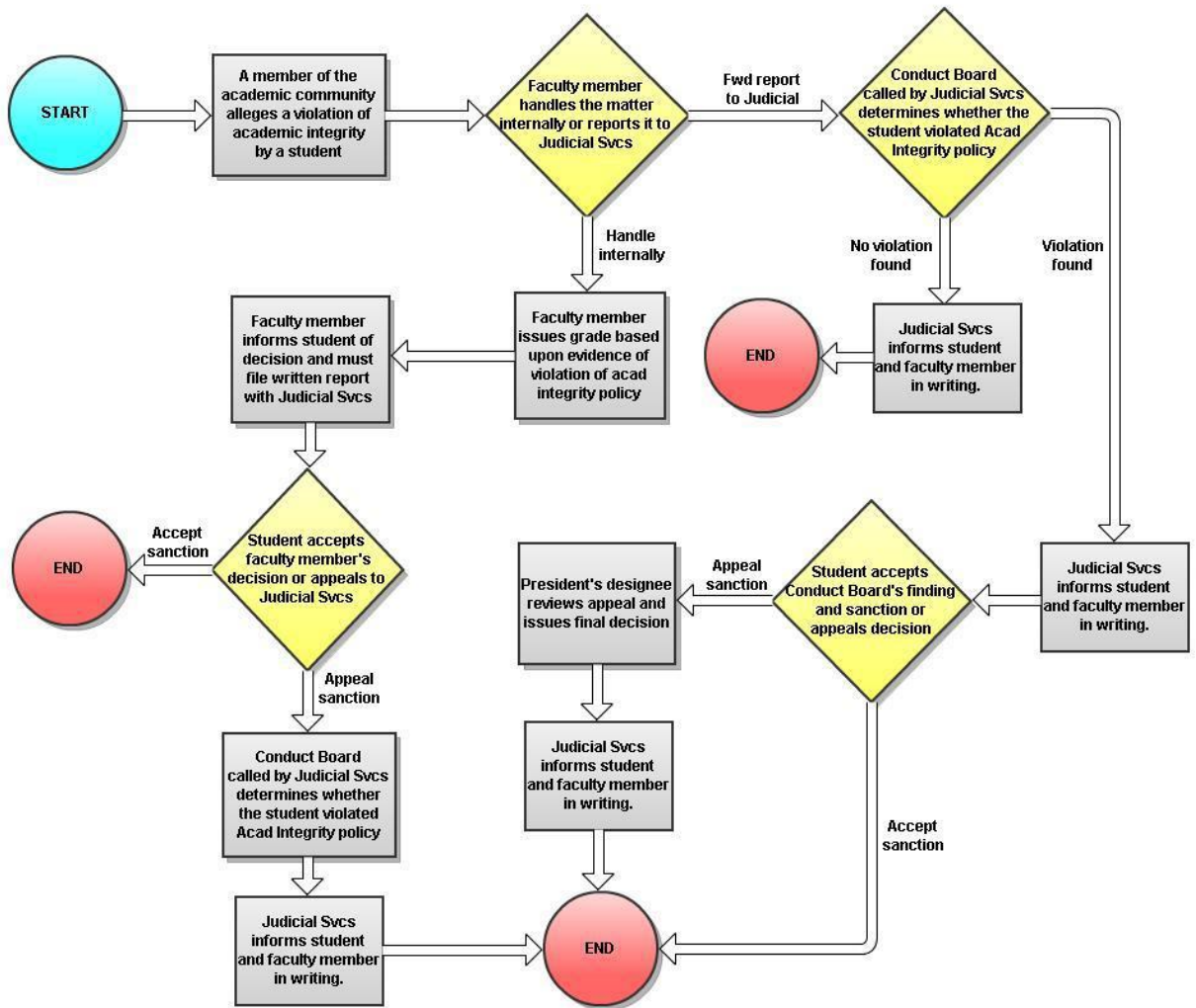
All students, including online-only and in-classroom students, shall maintain a high standard of honesty in scholastic work. As members of the university community, students have a responsibility to be familiar with the conduct regulations found in the university catalogs, Residence Hall Handbook, *Student Code of Conduct*, and *Community Standards* as well as other university documents. Among the conduct regulations addressed are acts of academic integrity, including plagiarism or cheating on assignments, examinations, or other academic work; or without prior approval of the instructor, submitting work already done for another course.

All students, including online-only and in-classroom students, shall avoid all forms of academic dishonesty, including, but not limited to:

1. **Plagiarism**—the use of another's words without attribution or without enclosing the words in quotation marks. Plagiarism may also be defined as the act of taking the ideas or expression of ideas of another person and representing them as one's own even if the original paper has been paraphrased or otherwise modified. A close or extended paraphrase may also be considered plagiarism even if the source is named. Downloading partial or entire text from one or more Internet paper mills and cutting/pasting entire and partial text from one or more Internet Websites constitute plagiarism.
2. **Collusion**—collaborating with another person in the preparation of notes, themes, reports, or other written work offered for credit, unless specifically permitted by the instructor.
3. **Cheating on an examination or quiz**—giving or receiving information or using prepared material on an examination or quiz.
4. **Falsification of data**—manufacturing, falsification of information, including providing false or misleading information, or selective use of data to support a particular conclusion or to avoid conducting actual research.

Complaints of academic dishonesty may be brought against a student by any member of the academic community. Sanctions for academic integrity can range from a failing grade on a particular assignment or examination to dismissal from the university, based on the seriousness of the action and whether it is part of a pattern of academic integrity based violations. Faculty members will submit information indicating that a violation of academic integrity occurred to the Office of Judicial ~~and Mediation Services~~ Affairs at the Academic Integrity Referral Link on the Office of Judicial ~~and Mediation Services~~ Affairs page (www.clarion.edu/judicial) to create a record of such infractions even if no further action is requested.

Sanctions extending beyond a particular course, such as suspension or dismissal from an academic program or from the university can only be imposed as a result of complaints filed under the *Student Code of Conduct* and/or *Community Standards* and addressed through a formal hearing before a University Conduct Board. Reports may be sent electronically using the Academic Integrity Report Form which is found on the Judicial ~~and Mediation Services~~ Affairs webpage at **www.clarion.edu/judicial**.



CLARION UNIVERSITY - ACADEMIC INTEGRITY APPEAL POLICY



Online Proctoring

As noted, all students, including those taking online coursework will be held accountable for academic integrity based violations under the *Student Code of Conduct* and the *Community Standards*. Academic integrity based violations may include but are not limited to plagiarism, collusion, cheating, or falsification of data as defined by the *Academic Student Code of Conduct*, *Student Code of Conduct* and/or the *Community Standards*. All students, including those in the online environment, are held accountable for academic integrity based violations.

Clarion University employs online proctoring software both for essay and other written assignments as well as for general examinations. Online proctors detect cheating, collusion, plagiarism, falsification of data and/or other violations of academic integrity. All students taking online coursework should be aware that online proctoring is utilized to assist in assuring fair and accurate grading.

All online learners are required to agree to terms acknowledging they understand online proctoring is in use. Agreement simply acknowledges a students' understanding that they may be held accountable for an academic integrity based violation should online proctoring identify a concern with an assignment, quiz, exam, or other coursework submitted by a student.

Student Publications

The student press shall be free of censorship and advance approval of copy, and its editors and managers shall be free to develop their own editorial policies and news coverage within guidelines established by the agency responsible for the appointment.

Editors and managers shall be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes shall editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for their removal before the appointment of editors and managers shall be the agency participating in the University Conduct Board.

All university published and financed student publications shall explicitly state on the editorial page that the opinions there expressed are not necessarily those of the university or the student body.

Student Records

It has been a long-standing policy of Clarion University to publish a statement on the *Student Code of Conduct* and *Community Standards*. Included in this statement is a policy on student records. This policy is included in the Student Rights and Regulations handbook, which is available to all students from the Office of Judicial [Affairs and Mediation Services](#), [212 Becht Hall](#), [260 Gemmell Student Center](#).

The privacy rights of parents and students with respect to educational records are enunciated in the General Education Provisions Act. Copies of this act are available for inspection at the Office of the Vice President for Student Affairs, ~~103 Carrier Hall~~ [210 Becht Hall](#), and the Office of the Provost and Academic Vice President, 115 Carrier Hall.

Students' education records, except that information which is otherwise public, are confidential in nature. Release of these records shall occur only upon written consent of the student or upon subpoena. Exceptions to this requirement are:

1. the release of records to administrators and faculty of the university when such information is necessary to conduct their university duties; and
2. the release of records for research when the identity of the student can be protected and when the researcher can assure acceptable standards of confidentiality. If such assurance is questionable, the university shall obtain the consent of the student prior to the release of information.

Maintenance of Records

1. No record of information shall be made or retained unless there is ~~demonstratable~~ [demonstrable](#) need for it which has a reasonably substantial relevance to the educational and related purposes of the university.
2. The categories, locations, and officials responsible for records maintenance are:
 - a) Academic Records—Registrar, First Floor Becht Hall;
 - b) Student Discipline Records—Office of Judicial ~~and Mediation Services Affairs~~, ~~212 Becht~~ [260 Gemmell Student Center](#);
 - c) Credential Records—Director of Career Development, 419 Becht Hall;
 - d) Financial Records—Director of Student Financial Services, First Floor Becht Hall; &
 - e) Student Accounts Records, First Floor Becht Hall.
3. No records of religious or political beliefs shall be made or retained by the university without the student's knowledge or consent.
4. Academic transcripts shall include current and non-current academic suspension and probation, awards, and honors.
5. Student disciplinary records are retained for a minimum period of five years as required by the Pennsylvania State System of Higher Education Board of Governors guidelines.
6. Students shall have the right to inspect their records, the release of which requires the student's consent. The inspection or review of a record requires the student

personally make such a request at the office in which the record is maintained by completing an Inspection-Request Form.

7. Every record containing information about a student's character shall state when the information was acquired and the name and position of the person who gave it.
8. The right to inspect records does not include direct access to medical, psychiatric, or counseling records which are used solely in connection with treatment.
9. Except for publicity releases concerning students' achievement and honors, the university shall release nothing more than "directory information" without the student's consent. The following are considered to be "directory information": the student's name, age, local, and permanent addresses, and telephone numbers, university E-mail address, major field of study, dates of registered attendance, enrollment status, participation in officially recognized activities and sports, any honors and awards received, and the most recent educational agency or institution attended, nature of any degrees granted, and the date they were conferred. A student may refuse to permit disclosure of "directory information" by submitting in person to the Office of the Registrar, First Floor Becht Hall, during the first five days of each semester, written statement of such refusal.
10. As the right of privacy belongs to the individual, the student may relinquish this right. When a request for confidential information concerning a student or graduate has been made by a proper agency and the student has formally authorized in written form the release of that information, the university is obligated to respond.
11. The university will provide the opportunity to challenge information contained in any file or record regarding a student which, in the opinion of that student, is not accurate. If, when reviewing a record, a student desires to discuss the content of that record, the student may formally request a hearing with the Office of the Vice President for Student Affairs for that purpose.

Release Procedures

1. Students requesting access must fill out a "Student Request for Access" (Form 001) which may be obtained from the office where the files are located. When a student completes this, the student must return it to the location of the file or record. This form is then kept with the record and completed with the appropriate information, which includes the date the notice is sent to the student and the date the student reviews the information.
2. The office from which information is requested should arrange to have the student review the record on file in the presence of a staff member from that office, and notify

the student of time, date, and location of this review. An effort should be made to reply within seven to ten working days of the request, if possible.

3. The student should be allowed to review information only after presenting a valid student I.D. and only in the presence of a representative of the office. The student should not be permitted to remove records from any office.
4. If a student wishes copies of any original file or record, the student must assume costs of reproduction. Students pay a one-time \$50 academic records fee their first semester of enrollment, which covers the cost of academic transcripts. All other records are 50 cents per page.
5. If a student wishes to question or challenge the content of any file or record, the student may apply to the office of the vice president for student affairs (Form 003). An administrative hearing will be granted by the vice president for student affairs or a designate, with complete procedural due process granted to all parties.
6. If a hearing results in a decision to amend a record or file, notice of such change will be given by the hearing officer. The student will receive a copy of the amended record or file. If the decision is not to make such a change, the student shall be afforded the opportunity to place a statement of comment in the record.
7. No records, files, or information, other than directory information, are to be released to any third party without the written consent of the student (Form 004).
8. Requests for information which are not accompanied by a written consent may be responded to with Form 005, which requires the party requesting the information to obtain written consent.
9. All files, folders, and records must contain a Record of Inspection (Form 006). This form must be signed by any individual using the information for legitimate educational interest, as defined by the law, and must state specific use of the information.
10. Form 007 should accompany any outgoing information on individual students. This indicates that information cannot be released to a third party without the student's consent. Students may go to www.clarion.edu/judicial to print and sign a Release of Conduct Information Form. The form must be submitted to the Office of Judicial & ~~Mediation Services~~ ~~Affairs~~ (~~212 Becht Hall~~ [260 Gemmell Student Center](#)).
11. If a file contains information about more than one student, for example, grade books, the individual student may not have access to it in order to protect the rights of other members of that class. However, individual information must be provided in the appropriate manner.

Clarion University
Information Items for July 19, 2018 Council of Trustees' Meeting
List of Purchases \$19,400 and Above

<i>Approved by Trustees' Finance Committee - April 6, 2018</i>					
Vendor	General Description	Department	Purchase Order Total	Contract Begin Date	Contract End Date
Whitlock	Joint Multi-Media Classroom Systems Clarion and Edinboro Universities/\$500,000 per school	Computing Services	\$1,000,000 2/year contract		6/30/2019
Johnson Controls	Building Automatic Controls System	Facilities Management	\$305,640.00	upon arrival	9/30/2022
Johnson Controls	Planned Service Agreement for Venango Campus	Facilities Management	\$20,256.00	upon arrival	7/21/2020
Johnson Controls	Fire Alarm & Access Controls Systems	Facilities Management	\$164,147.00	upon arrival	10/31/2022

Clarion University
Information Items for July 19, 2018 Council of Trustees' Meeting
Status of Facilities Projects

Building	Project	Number	Fund Source	Amount	Status	Project Completion Date
Tippin Gym	Renovation/Construction	CL-696	CA	\$41,900,000	UC	Sept - 2019
Project Total						
Stevens/Moore Hall	ADA Accessibility Improvements	CL-775	CA	\$5,000,000	ID	TBD
Still Hall	Cooling Tower Replacement	CL-784	DM	\$150,000	C	Fall-2017 *
Still Hall	Roof Replacement	CL-786	DM	\$150,000	ID	August-2019**
Still Hall	Server Room Fire Extinguishing	CL-796	DM	TBD	ID	Decmeber 2018
Clarion Campus	Sidewalk Repairs	CL-797	DM	\$150,000	P	August-2018
Venango Suhr Library	Feasibility Study	CL-790	SR	\$39,587	C	April-2017
Steam Vaults	Repair of Steam Tunnel Vaults	CL-	DM	\$250,000	B	October 2018

*** Project completed Fall 2017; System tested and confirmed complete Spring 2018**

**** Project deferred to Summer 2019 for proper review and design prior to work completion**

Source of Funds	Status
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EG = Education & General Funds

AX = Auxiliary

DM = Deferred Maintenance

CA = Capital Appropriation

G = Grants

SA = Student Assessment

SR = Special Revenue (e.g., Parking Fees, etc.)

CL = Cancelled

P = Planning

ID = In Design

B = Bidding/Contracting

UC = Under Construction

C = Complete

AF = Awaiting Funds

AS = Awaiting Scheduling

RB = Rebid

Clarion University of PA
New Grants and Contracts
Awarded between 04/1/2018 and 06/30/2018

Item 8

Grant Name	Amount	Director
PASSHE Business Plan FY18	\$ 10,000	Ms. Cynthia Nellis
Science in Motion FY19	\$ 107,000	Ms. Karen Spuck
NW-Engage 18-19	\$ 4,572	Ms. Cynthia Nellis
SW-Engage 18-19	\$ 5,500	Ms. Cynthia Nellis
NC-Engage 18-19	\$ 14,217	Ms. Cynthia Nellis
NW-State Aids	\$ 2,500,000	Dr. David Miller-Martini
NW-HOPWA	\$ 278,827	Dr. David Miller-Martini
NC-State Aids	\$ 259,481	Dr. David Miller-Martini
NC-HOPWA	\$ 32,100	Dr. David Miller-Martini

A. President's Office

1. Appointment

Manager

Gent, Pamela, Interim Provost and Academic Vice President, Full-Time, Temporary, May 21, 2018

2. Resignation

Manager

Pfannestiel, Todd, Interim Provost and Academic Vice President, May 31, 2018

B. Academic Affairs

1. Faculty Tenure

Faculty members listed below were granted tenure, effective August 18, 2018

Armstrong, Natalie	Communication Sciences and Disorders
Price, Gwyneth	School of Education

2. Faculty Sabbaticals

Faculty members listed below were awarded sabbaticals for the period and purposes indicated. All sabbaticals were awarded at full pay.

Franchino, Mark	2019-2020 Academic Year	Devote time to artistic endeavors from serving as a resident artist to completing 15-20 new drawings to serve as a project artist at Artists Image Resources.
Kuehn, Myrna	2019-2020 Academic Year	Update expertise in the area of software applications to present to department.
Kuehn, Scott	2019-2020 Academic Year	Review professional writing practices and Scholarship and develop your semiotics scholarship in popular rock music.
Kuntz, Melissa	2019-2020 Academic Year	Further your work on your Ph.D. and provide research on inequities within the art world to the broader art community
O'Donnell, Jon	2019-2020 Academic Year	Audit core courses in the Master of Science In Applied Data Analytics program and teach the courses in the business core.
O'Donnell, Kathleen	2019-2020 Academic Year	Update your skills and abilities related to teaching English Linguistics and ESL
O'Neil, Naomi	Spring 2020 Semester	Produce manuscripts using your research data For publication in top-level communication Academic journals.

Pack, Uraina	Spring 2020 Semester	Research to write chapters to complete a full-length book project.
Rosati, Annette	2019-2010 Academic Year	Update the English Department upper-division Writing courses.
Smith, Doug	2019-2020 Academic Year	Analysis the BS Molecular Biology/Biotechnology program and create a five to ten year plan to improve the program's recruitment and brand.
Welsch, Kathleen	2019-2020 Academic Year	Research personal and professional interest which will enhance my teaching in both the Department of English and Women and Gender Studies Courses.

3. Appointments

Faculty – E & G Funded

Adams, Stephanie; 12-credit time Instructor (Step 3), Human Services, Rehabilitation, Health and Sport Sciences Department, May 21, 2018 through August 9, 2018

Adams, Stephanie; 100%-time Instructor (Step 3), Human Services, Rehabilitation, Health and Sports Sciences Department, August 18, 2018 through May 24, 2019

Best, Melanie; 100%-time Instructor (Step 1), Nursing Department
August 18, 2018 through May 24, 2019

Brzoza-Lewis, Kristina; 100%-time Instructor (Step 1), Biology & Geoscience Department
August 18, 2018 through May 24, 2019

Chaparro, Sergio; 100%-time Assistant Professor (Step 1), Library Services Department,
August 18, 2018

Diamond, Jeffrey; 3-credit time Instructor (Step 1), Social Science Department,
June 4, 2018 through June 22, 2018

Diamond, Jeffrey; 100%-time Instructor (Step 1), Social Science Department,
August 18, 2018 through May 24, 2019

Dias, Natasha; 100%-time Instructor (Step 1), Biology & Geoscience Department
August 18, 2018 through May 24, 2019

Fenstermaker, Robin; 2-credit time Instructor (Step 1), Nursing Department
May 21, 2018 through August 16, 2018

Fenstermaker, Robin; 100%-time Assistant Professor (Step 1), Nursing Department,
August 18, 2018

Flaherty, Debra; 100%-time Assistant Professor (Step 1), Nursing Department,
August 18, 2018

Heavilin, Jason; 100%-time Associate Professor (Step 10), Finance Department,
August 18, 2018

Kazar, Sheila; 4-credit time Instructor (Step 1), Biology and Geoscience Department,
May 14, 2018 through June 15, 2018

McConnell, Marcella; 3-credit time Instructor (Step 1), Chemistry, Math and Physics
Department, June 4, 2018 through July 6, 2018

McConnell, Marcella; 100%-time Assistant Professor (Step 2), Chemistry, Math and Physics
Department, August 18, 2018

Montag, Susan; .333/Student time Instructor (Step 1), Nursing Department,
May 14, 2018 through August 9, 2018

Myers, Karen; 3-credit time Assistant Professor (Step 1), Nursing Department
July 2, 2018 through August 17, 2018

Packard, Brandon; 100%-time Assistant Professor (Step 1), Computer Information Sciences
Department, August 18, 2018

Pikna, Leah; 7-credit time Instructor (Step 1), Communication Sciences and Disorders

Department, June 4, 2018 through August 9, 2018
 Qu, Jin; 100%-time Assistant Professor (Step 1), Psychology Department
 August 18, 2018
 Rhode, Matthew; 100%-time Instructor (Step 1), Social Science Department
 August 18, 2018 through May 24, 2019
 Sambor, Grzegorz; 12-credit time Instructor (Step 1), Human Service, Rehabilitation, Health and
 Sport Sciences Department, May 21, 2018 through August 10, 2018
 Sambor, Grzegorz; 100%-time Instructor (Step 1), Human Service, Rehabilitation, Health and
 Sport Sciences Department, August 18, 2018 through May 24, 2019
 Sanko, Marc; 100%-time Assistant Professor (Step 1), Social Science Department,
 August 18, 2018
 Shick, Timothy; 3-credit time Management and Marketing Department,
 June 4, 2018 through July 6, 2018
 Singh, Nripendra; 100%-time Professor (Step 3), Management and Marketing Department,
 August 18, 2018
 Tienes, Jeffrey; 6-credit time Instructor (Step 1), Social Science Department
 June 4, 2018 through August 9, 2018
 Weidle, Christina; 100%-time Assistant Professor (Step 1), Nursing Department
 August 18, 2018
 Zemaitis, Mary; 3-credit time Assistant Professor (Step 4), Nursing Department-Pittsburgh Site
 June 4, 2018 through July 27, 2018

Grant Funded

Aiello, Maria; 334.65-hours assigned; Assistant Professor (Step 5), Student Support Services
 Department, May 28, 2018 through August 24, 2018
 Beers, Shawn; 30.93- hours assigned; Instructor (Step 1), Student Support Services
 Department, June 23, 2018 through July 27, 2018
 Bradley, Connie; 77.34-hours assigned, Instructor (Step 8), Educational Talent Search
 Department, June 9, 2018 through June 29, 2018
 Craig, Jason; 58-hours assigned, Instructor (Step 1) Student Support Services Department
 June 23, 2018 through July 27, 2018
 Defranco, Lisa; 77.34-hours assigned, Instructor (Step 1), Education Talent Search Department,
 June 9, 2018 through June 29, 2018
 Doverspike, Tami; 103.03-hours assigned, Instructor (Step 6), Education Talent Search
 Department, June 2, 2018 through June 29, 2018
 Evans, Kenneth; 86.37-hours assigned, Instructor (Step 1), Student Support Services
 Department, June 23, 2018 through July 27, 2018
 Griffin, Timothy; 180.47-hours assigned, Instructor (Step 1), Student Support Services
 Department, June 9, 2018 through July 27, 2018
 Hudson-Weibel, Shintrika; 180.47-hours assigned, Instructor (Step 2), Educational Talent
 Search Department June 9, 2018 through July 27, 2018
 McMillen-Toth, Rhonda; 231.19-hours worked, Assistant Professor (Step 13), Educational
 Talent Search Department, May 26, 2018 through July 27, 2018
 McKinstry, Valerie; 34.80-hours worked, Instructor (Step 1), Educational Talent Search
 Department, June 23, 2018 through July 27, 2018
 Sloan, David; 61.87-worked hours, Instructor (Step 1), Student Support Services Department;
 June 23, 2018 through July 27, 2018
 Snyder, Donna; 64.45 hours worked, Instructor (Step 1), Academic Enrichment Department,
 June 23, 2018 through July 27, 2018

Administrator

Lind, Shawna, State University Administrator 1, Assistant Registrar, Full-Time, Regular, Registrar, May 7, 2018

Vickers, Kyle, Grant Funded Program Coordinator 2, Learning Skills Specialist, Full-Time, Regular (9-month to 12-month), Student Support Services, May 15, 2018

Bowen, Brittany, State University Administrator 1, Financial Aid Counselor, Full-Time, Regular, Student Financial Services, June 25, 2018

Staff Support

Myers, Heather, Clerk Typist 2, Full-Time, Regular, Computing Services, April 23, 2018

Boyd, Matthew, Help Desk Technician, Full-Time, Regular, Computing Services, June 11, 2018

Ochs, Christine, Clerk Typist 2, Full-Time, Regular, N/W Alliance, June 25, 2018

Scognamiglio, Luigi, Help Desk Technician, Full-Time, Regular, Computing Services, July 9, 2018

4. Retirements/Resignations

Manager

Dede, Brenda, Associate Vice President Academic Affairs, Retirement, July 6, 2018

Cristini, Nicole, Business Analyst, Student Financial Services, Resignation, April 11, 2018

Curtis, Shannon, Medical Records Assistant, N/W Alliance, Resignation, June 22, 2018

Hillwig, Erica, Assistant Registrar, Resignation, April 9, 2018

Faculty

Boubacar, Inoussa; Assistant Professor, Economics Department, May 25, 2018

Forden, Carie; Assistant Professor, Psychology Department, August 18, 2018

McIntyre, Kathleen; Assistant Professor, Social Science Department, August 18, 2018.

5. Promotions

The faculty listed below were promoted to Full Professor, effective August 18, 2018

Li, Chunfei	Chemistry, Mathematics and Physics
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The faculty listed below were promoted to Associate Professor, effective August 18, 2018

Bloom, Renee	Human Services, Rehabilitation, Health and Sport Sciences
Chambers, Leah	English and Modern Languages
Klenowski, Paul	Human Services, Rehabilitation, Health and Sport Sciences
Knepp, Doug	Human Services, Rehabilitation, Health and Sport Sciences
Overly, Joyce	Chemistry, Mathematics and Physics
Sprenger, Karl	Education

C. Finance and Administration

1. Appointment

Support Staff

Stutsman, Michael, Patrol Officer, Full-Time, Regular, Public Safety, April 9, 2018

Norton, John, Electrician, Full-Time, Regular, Facilities Management, July 9, 2018

2. Promotion

Support Staff

Ditz, Fred, Store Keeper 1, Full-Time, Regular, Facilities Management, March 26, 2018
 Evans, Gary, Building Maintenance Foreman, Full-Time, Regular, Facilities Management,
 March 26, 2018
 Dymock, Thomas, Custodial Work Supervisor, Full-Time, Regular, Facilities Management,
 June 18, 2018

3. Appointment – Temporary

Support Staff

Herman, Ken, Semi-Skilled Laborer, Full-Time, Temporary, Facilities Management, April 23, 2018
 Mason, Chip, Semi-Skilled Laborer, Full-Time, Temporary, Facilities Management, April 23, 2018
 Gadley, Joy, Semi-Skilled Laborer, Full-Time, Temporary, Facilities Management, April 23, 2018
 Rhoades, Duane, Semi-Skilled Laborer, Full-Time, Temporary, Facilities Management, May 7, 2018
 Fetzer, Greg, Semi-Skilled Laborer, Full-Time, Temporary, Facilities Management, May 7, 2018
 Schrecengost, Scott, Semi-Skilled Laborer, Full-Time, Temporary, Facilities Management, May 7, 2018

D. Student Affairs

1. Appointment

Administrator

Kitzmiller, Tyler, State University Administrator 2, Assistant Director, Judicial Affairs, Full-Time,
 Regular Status, April 16, 2018

Staff Support

Raehsler, Kara, Fiscal Assistant, Residence Life, Full-Time, Regular, March 26, 2018
 Funk, Barbara, Clerk Typist 1, Conference and Events, Part-Time, Regular, May 29, 2018

2. Appointment, Temporary - Extension

Administrator

Negley, Corey, State University Administrator 1, Residence Life, Full-Time, Temporary,
 May 28, 2018
 Lahr, Melanie, State University Administrator 3, Residence Life, Full-Time, Temporary,
 June 9, 2018

E. University Advancement

1. Appointment

Manager

Reynolds, Adam, Web Designer/Developer, Marketing and Communications, Full-Time, Regular,
 April 30, 2018
 Wozniak, Amy, Web Content Writer, Marketing and Communications, Full-Time, Regular, July 2,
 2018