

SECTION FOUR – POLICIES

INCIDENTS OF HATRED: POLICY STATEMENT

Franklin Pierce University values the great diversity of its people and recognizes that a threat against any portion of our community is a threat against our entire community, as well as our diverse way of life. Acts or threats of violence motivated by hatred or prejudice are serious acts, often vicious in nature, which tear at the fabric of our community.

An incident of hatred is an act including words directed against a person(s) based on that person's actual or perceived race, nationality, religion, sexual orientation, disability, or gender. Incidents of hatred include, but are not limited to, graffiti, distribution of hate material in public places, posting of hate material that may or may not result in property damage, and the display of offensive material on one's own property.

It is the policy of Franklin Pierce University to ensure that the rights and safety of all community members are protected. This includes the right of all community members to live without fear of attack by or threat from an individual or group due to hatred or prejudice. When any act motivated by hatred or prejudice occurs, the University will ensure that it is dealt with on a priority basis and use every necessary resource to rapidly and decisively identify the suspects and bring them to justice. The judicial system will view incidents of hatred as a serious violation of our Student Code of Conduct, and judicial outcomes may include any sanctions indicated in the Student Code of Conduct, including expulsion. Students suspected of perpetrating an incident of hatred will normally be charged with "Verbal Abuse," and/or "Disorderly Conduct or Disruptive Behavior," in accordance with the Student Code of Conduct. Incidents should be reported to an Experience Director in Residential Life (ext. 4176), or the Department of Campus Safety (ext. 4210).

MEDICAL AMNESTY/GOOD SAMARITAN POLICY

In cases of intoxication and/or alcohol poisoning, the primary concern is for the health and safety of the individual(s) involved. Individuals are strongly encouraged to call for medical assistance for one's self or for a friend/acquaintance who is dangerously intoxicated. No student seeking medical treatment for an alcohol or other drug-related overdose will be subject to University discipline for the sole violation of using or possessing alcohol or other drugs. This policy shall extend to another student seeking help for the intoxicated student.

Amnesty will apply to medical emergencies involving alcohol or other drugs but does not apply to other prohibited conduct such as assault, property damage or distribution of illicit substances.

In order to qualify for medical amnesty, the student must seek and obtain medical attention at the time of the incident and must meet with a representative from the Division of Student Affairs within 2 business days of the incident and agree to comply with the conditions set forth by the representative, which among other things may include an assessment and treatment plan. If these conditions are met, there will be no judicial case brought forward. If the student does not follow these stipulations, she or he does not qualify for medical amnesty and is subject to the conduct process as provided by the University's Student Code of Conduct.

MOTOR VEHICLE REGULATIONS

All motor vehicles that are operated on campus must be operated in compliance with the laws of the State of New Hampshire and Franklin Pierce regulations. All vehicles are required to be registered with the Department of Campus Safety upon entering the campus.

Privately owned snowmobiles/dirt bikes are not allowed on campus. The individual in whose name a vehicle is registered with the university will be responsible for all parking and moving violations involving the vehicle. It is the responsibility of the registrant to remove decals from vehicles which are sold or traded or when student status at the University is terminated. Failure to register a motor vehicle will result in a citation per offense and/or towing at the owner's expense. A full copy of the motor vehicle regulations is available at the Department of Campus Safety and on the web. You may register your on-line by visiting www.thepermitstore.com.

Parking and operating vehicles on university property is a privilege and is done so at the owner's risk. The Director of Campus Safety may suspend this privilege for unsafe operation or violation of the State of New Hampshire or Franklin Pierce motor vehicle regulations.

The university assumes no responsibility for loss or damage to any vehicle or personal property on campus. Please park in designated student parking. White lines designate student parking spaces. Yellow lines indicate staff and faculty parking. If you park in areas designated for staff, you are subject to fines and/or towing. Students are financially responsible for any motor vehicle violations committed by their guests.

PARKING FEES and FINES

Parking fees are as follows and will be charged to your account:

- \$125 for ALL students who register a vehicle
- \$10 for a temporary permit

Parking fines are as follows:

- \$25 for parking/vehicle violations
- \$100 for handicapped, fire hydrant and fire lane violations.

- Additional \$15 for fines not paid within 20 days.
- \$75 for Towing

VEHICLE REGISTRATION/ PARKING DECALS

All motor vehicles must be registered with the Department of Campus Safety. A valid state operator's license and the current registration for the vehicle are necessary to register a vehicle.

University parking decals must be purchased on-line through 'iParq'. To order a parking decal, have your vehicle registration ready and follow these instructions:

1. Visit <http://www.ThePermitStore.com>
2. Type **Franklin Pierce** as your parking destination
3. Select **Franklin Pierce** from the list that follows
4. Click "**Apply**" to apply for a permit
5. Follow the instructions on the screen

Please take the time to read the parking policies at:
<http://www.fpc.edu/pages/studentlife/dst/parking.pdf>

A copy of the University's Vehicle Regulations may be obtained at the Office of Campus Safety or on it's web page.

Confiscated Property: Some property confiscated by the Department of Campus Safety may be reclaimed by the owner when leaving the University property to return home. The following is a list of (but not limited to) property that shall not be returned: (1) kegs, beer balls, beer pong tables, (2) any form of controlled substances (i.e., marijuana, bong, pipe, etc.), (3) any property that has been stolen (i.e., signs), and (4) any property which is explosive, such as propane tanks, gasoline. All confiscated property not claimed within two weeks after the end of the academic year shall be destroyed unless prior arrangements are made in writing with the Director of Campus Safety.

WEAPONS POLICY

Possession or use of firearms, other weapons, or explosives, is not permitted on any campus location. Violation of this policy is considered a serious offense and may lead to immediate separation from the university. Examples of weapons or explosives includes, but is not limited to: fireworks, handguns, rifles, pellet guns, BB guns, swords, bow and arrow, martial arts weapons, brass knuckles, small pocket knives, sling shots, bullets, pellets, ammunition, etc. The University does not store such weapons or explosives nor may they be stored in vehicles, apartments, or any other place on campus.

COURTESY AND QUIET HOURS

At all times, residents must be courteous and respect the wishes of their fellow residential peers with regards to noise levels. Noise, regardless of the time of day, should not disrupt hall mates, classes in residential areas or any university sponsored activity.

Quiet Hours are in effect in all residential areas:

Sundays – Thursday 10:00pm – 8:00am

Friday & Saturday 1:00am – 8:00am

DRUG-FREE SCHOOLS AND COMMUNITY ACT

As a member of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse, Franklin Pierce University has adopted and implemented a drug abuse prevention program. This program is directed to all students and employees and includes:

- A. Policy. Annual notice of standards of conduct prohibiting unlawful possession, use, and distribution of illicit drugs and alcohol on university property and at university functions.
- B. Enforcement. Sanctions which will be imposed by the University and applicable legal sanctions under local, state, and federal law.
- C. Prevention and Education. Programs on the health risks associated with the use of drugs and the abuse of alcohol. Information on Drug Free schools can be found on the Department of Judicial Affairs' web page at <http://www.franklinpierce.edu>, Pages – Student Life – Judicial Affairs.
- D. Referral services and outreach. Programs on alcohol and drugs are coordinated through the Center for Outreach Education.

NON-SMOKING LAW

The "Indoor Smoking Act" enacted by the New Hampshire Legislature, became effective for all public buildings and institutions in January 1991, and then for private institutions and workplaces, such as Franklin Pierce University, on July 1, 1993. To comply with this law, all university buildings are designated as nonsmoking, including all offices and restrooms. The only exceptions will be student resident facilities where the Associate Dean of Student Affairs may designate some effectively segregated smoking areas. There is no smoking in any common area within the residence facilities. This includes all hallways, restrooms, stair wells, etc. In addition, there is no smoking in New Hampshire, Granite, Mount Washington, Monadnock, Edgewood and Cheshire Halls. This legislation includes a complaint procedure for the benefit of nonsmokers who feel their health and well-being are being endangered by involuntary exposure to ETS (Environmental Tobacco Smoke), or passive smoke. The resulting investigation of such a complaint, where if a person is found to have been smoking in a place where smoking is prohibited, will result in that person being declared guilty of a civil violation and subject to a fine of not less than \$100.

Complaints should be directed to the Department of Campus Safety, where they will be investigated. The resulting report will be forwarded to Associate Dean of Student Affairs for adjudication. Faculty-staff violations are forwarded to the Office of Human Resources. During the Spring 2003 semester, the SGA passed legislation entitled, "Smoking Zone Policy." This policy prohibits smoking within ten (10) feet of any building doorway. The goal of this policy is to ensure a smoke free zone surrounding all entranceways to buildings.

DEBTS DAMAGE AND FINES

Students are responsible for damage to university property and the false activation of a fire alarm. Any charge resulting from damage to, theft of university property or false activation of fire alarms will be billed to the responsible student's account. When this person cannot be identified, the charge may be assessed to all students residing on the particular hallway, floor or building. Damage charges are determined on a monthly basis and are reflected on the student(s) account accordingly. Students charged with damaging property may also be referred to the University Judicial System and may be subject to arrest with local law enforcement agencies.

The university does not cover damage to or theft of students' personal property. As such, students are encouraged to ensure that their parents' homeowner policy will cover such events. The university provides literature about a policy that can be purchased to protect against damage and theft to personal property. Information can be obtained through the Residential Life Department.

Returned checks from purchases made in the Bookstore or anywhere on campus will result in a \$25 service charge (in addition to the amount of the check). This charge will be assessed for each return of each check (i.e. a check returned, re-deposited, and returned again will be charged two \$25 service charges). Returned checks will automatically be re-deposited and no additional checks will be accepted for three weeks following the date of redeposit. The return of a second check will result in the loss of on-campus check purchasing privileges for the remainder of the academic year.

FURNITURE POLICY

The university supplies bedroom and common area furniture respective to your residence. Over the last couple of years the university has invested in upgrading the issued furniture in each of the residences. This new furniture also meets the fire deterrent standards set forth in the California Code that further insures your safety. We hope that by providing you with relatively new furniture and your understanding that furniture will no longer be removed from the units, that you will decide not to bring any personal furniture. If you do decide to bring personal furniture, please understand that if it is not removed at the end of the academic year, you and your roommates will incur a removal charge. All of your university issued furniture must remain inside your residence and must not be found in areas that present a fire hazard.

RESIDENCY

As a residential university, full-time students typically reside on-campus in university owned or operated housing. First year students who are full-time status are required to live in University owned or operated housing. Upperclass students (SO, JR, or SR) are housed according to a lottery, but are not guaranteed housing. Students who wish to reside off-campus must notify the Residential Life Office of their intention.

If a student is registered as a part-time student, enrolled in less than twelve credit hours during the semester, he/she is not eligible to reside in university owned or operated housing unless he/she first gains permission from the Director of Residential Life. Second semester seniors who register for the number of credits necessary for graduation requirements will be permitted to reside in university housing even though this may be less than twelve credits hours. This residency requirement does not apply to summer school.

FIRE SAFETY AND FIRE REGULATIONS

As a community, we are concerned about the health and safety of all members. Persons pulling false alarms, tamper with fire equipment, including extinguishers, bells, and detectors, engage in a serious infringement on the rights of others. As such, tampering with any life-safety equipment is considered a separation level offense through the judicial process. Students accused of tampering with fire safety equipment are subject to arrest as well.

False alarms can create injury to persons attempting to evacuate a building. Tampered or missing equipment may not be available in a life-threatening situation requiring immediate response. Students living in areas where a false alarm occurs will be assessed the following fines and be subject to possible disciplinary action.

Common Areas (i.e. hallways, bathrooms, laundry rooms) - \$5.00 per person

Individual room/unit/suite - \$150.00

Malicious - \$300.00

Resident students are required to practice prudent and sensible fire safety measures. Do not over-load electrical outlets. The hanging of tapestries, flags, blankets, etc. on the ceilings and walls is prohibited. Limit clutter and excessive amounts of combustibles. Open flame devices, candles, oil or kerosene lamps, burners and incense are similarly prohibited. Fire doors in hallways and stairwells may not be blocked open at any time. Private gatherings must be limited to 10 people in any given room due to fire safety regulations. A window is both an additional exit for the resident and an egress for fire personnel in case of emergency, therefore, under no circumstances should the windows be blocked. Fans may be used but the screens should not be removed at any time.

The following electrical appliances are permitted in residence halls provided their use does not disturb other occupants and do not constitute a fire hazard: television sets, radios, stereos, electric razors, hot pots, clocks, hair dryers, irons, lamps, fans and small (3 cubic feet or less) compact refrigerators. Make sure all appliances are marked Underwriters Laboratories (UL) inspected. All extension cords must be equipped with an over current protection device in them such as a circuit breaker.

Prohibited appliances include but are not limited to: Hot plates, ceiling fans, halogen lamps, toasters, grills, all flammable and combustible liquids, gasoline powered items, immersion heaters (heating coils), space heaters, air conditioners (except during summer session) chemicals, propane containers, electric frying pans, toaster ovens, microwaves (except in SLOs) and similar devices with heating elements. Tampering, altering or rewiring electrical outlets, telephone lines or TV cables are fire and safety hazards. (The university does rent, through a vendor, combination refrigerator-microwave units to students).

Decorative lighting may not be hung in such a way as to touch combustible materials such as, but not limited to: posters, mattresses, clothes, etc. No items may be hung from sprinkler heads, sprinkler system pipes, smoke sensors, ceiling or any metal fixtures.

Any Fire Company officer and/or a member(s) of the Department of Campus Safety may conduct periodic fire and safety inspections of rooms with a member of the Residence Life staff. Sanctions for violations of fire safety regulations are dealt with in accordance with the College at Rindge Student Code of Conduct. Outside fires of any kind are prohibited without first obtaining a fire permit from the Department of Campus Safety. A fire permit must be requested a minimum of 24 hours in advance.

Charcoal grills may be used but no closer than 20 feet from any building or structure. Coals must be properly extinguished after grilling. Propane or gas grills are prohibited.

ROOM INSPECTION

Residential Life in conjunction with the Facilities Department coordinates at least six room inspections throughout the academic year. These inspections ensure that fire safety along with maintenance and damage concerns are addressed and that rooms are maintained in the condition they are found in at the beginning of the year.

Residents are held responsible for any damage or policy violation within their room or respective common area (i.e. hallway, stairwell, bathroom, kitchen, study lounge, etc.) Students who demonstrate that they are unable or unwilling to reside in a safe, clean, undamaged residence will be suspended from the residence halls or moved to another on-campus residential location.

FUND RAISING

The University Relations Office is responsible for the solicitation and recording of all gifts to Franklin Pierce University. The University's fund raising policy states that no solicitation of funds or merchandise either off-campus or by outside organizations on-campus, may be undertaken by any department, student organization, or individual representing Franklin Pierce University without prior written approval from the Office of University Relations. Any solicitation of any kind during Alumni Homecoming or Family Weekend also requires the approval of the Office University Relations.

Student organizations interested in on-campus fund-raisers should get approval from the Assistant Director of Student Activities. Solicitation of gifts, prizes, etc. from local merchants requires the approval of the University Relations Office.

When a recognized club or organization does receive the appropriate approval, as stipulated on the solicitation form, they must agree to exchange, replace or refund an item purchased that is faulty or that is unsatisfactory to the buyer. A reasonable amount of time for exchange (refund should be established, normally between one and two weeks after receipt of goods). Any dispute or discrepancy between solicitor and customer should be settled at the lowest possible level, with the club. If the problem cannot be resolved at this level, the Assistant Dean of Student Involvement and Co-curricular Programming becomes the arbitrator/mediator. If the problem still cannot be resolved, the matter can be appealed to the Vice President for Student Affairs, who becomes the final authority.

GUESTS

Resident students may entertain guest(s) in their residences. These guest(s) may be Franklin Pierce students living in University facilities, Franklin Pierce students living off campus, or non-students. This privilege requires the approval of the host's roommate(s) and the knowledge of the Community Assistant. Further, the exercise of this privilege requires that the rights of one's roommate(s) take priority over the privilege of having a guest.

A resident student may not have an overnight guest for more than two (2) nights in any given seven day period. An overnight guest may not stay more than two nights in a given seven day period. When a guest is not a currently registered FPC student, she or he must obtain a guest pass from the Department of Safety. It is the host's responsibility to inform the guest of the necessity of obtaining the pass. The guest must present the pass to any University official when requested. The guest should carry the pass at all times during his or her stay. Minors who are 16 years of age or younger, unless a relative of a resident, may not stay overnight.

The student host is responsible for seeing that his or her guest(s) observes University rules and regulations while on campus. Hosts will be held financially responsible for damages done by guests and may face disciplinary action for failure to control the behavior of guests, including possible termination of residence privileges.

POLICY ON SEXUAL HARASSMENT

Sexual harassment involving faculty, staff or students is unacceptable and prohibited. This policy is consistent with the University's efforts to maintain equal employment opportunity, equal educational opportunity, and nondiscrimination in programs and services. Sexual harassment shall be considered conduct which undermines overall morale and prevents the development of a truly productive learning and working environment, and may result in the severest form of disciplinary action.

POLICY:

I. As a liberal arts university, Franklin Pierce seeks to maintain a learning and work environment free from unlawful discrimination, including sexual harassment which, in its many forms, may render the educational and working environment hostile, intimidating, and offensive. In its misuse of power and authority, it subverts the mission of the University and may threaten the careers, educational experiences, and well being of faculty, staff, and students. Therefore, the University will not tolerate the harassment of any, or by any, faculty member, staff member, student or visitor on the basis of sex. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, physical, and nonphysical conduct of a sexual nature when:

A. Submission to such conduct is made explicitly or implicitly a term or condition of employment or status as a student.

B. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting that individual, or for awarding or withholding favorable employment or educational opportunity, evaluation or assistance; or

C. Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work or in the classroom, and creates an intimidating, hostile or offensive environment in which to work or learn.

II. Sexual harassment includes a wide range of behaviors from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes, and other sexually oriented statements including unwelcome statements emphasizing sexual identity. Sexual harassment may be indirect and even unintentional. The definition of what constitutes sexual harassment will be applied and interpreted by the University consistent with accepted standards of reasonable judgment, mature behavior and academic freedom.

III. This policy prohibits all of the aforementioned activities whether engaged in by a member of University administration, faculty, staff, co-worker, student or anyone who is on University premises or who comes in contact with University employees or students.

IV. Faculty, administrators, supervisory staff, or others in positions of authority should be sensitive to the questions about mutuality of consent that may be raised, and to the conflicts of interest that are inherent in personal relationships where professional and educational relationships are involved.

V. In addition, retaliation against faculty, staff or students who report incidents of sexual harassment is a violation of the University's policy and is prohibited by state and federal law. Retaliation is a form of unlawful sexual harassment and will be handled in the same manner as other allegations of sexual harassment.

VI. Experience has shown that a clear statement to the person engaging in the offensive behavior is often all that is necessary to stop the conduct. Faculty, staff or students who believe they are being harassed are encouraged to let the person engaging in the conduct know how they feel, but they are not required to do so. An individual who believes they have been subjected to unlawful harassment should report it under the complaint procedure outlined in this policy.

VII. All complaints of sexual harassment will be investigated promptly and appropriate action will be taken. The response of the University may include a range of sanctions and may also include counseling or mediation.

PRACTICES AND PROCEDURES:

I. COMPLAINT PROCEDURE

A. Sexual harassment is unacceptable and will not be tolerated by the University. Persons who believe they are or have been subjected to such conduct are encouraged to make their concerns known.

1. Faculty, staff and visitors who believe that they have been subjected to sexual harassment should bring their complaints or concerns to their immediate supervisor or to the Human Resources Manager. If the concern involves the Manager of Human Resources the complaint or concerns should be made to the Vice President of Finance and Administration.
2. Students (including Continuing Education students) who believe they have been subjected to sexual harassment should bring their complaints or inquiries to one of the following individuals depending on the case:
 - a. If the complaint is against a faculty member or coach, the student should speak with the Human Resources Manager.
 - b. If the complaint is against any staff member, including but not limited to, food services and health services, or a visitor, the student should speak with the Human Resources Manager.
 - c. If the complaint is against a student, the complainant should speak with the Associate Dean of Student Affairs. Such complaints will be handled through the procedures outlined in the Student Code of Conduct. (Professional & Graduate Studies students should speak to their respective Center Director.)
3. If unsure where to initiate a complaint, students may obtain further information from the Human Resources Office, the Student Affairs Office, or the Profession & Graduate Studies Center Director's Office.
4. Students may designate a member of the University faculty or staff to act as a contact person/advocate in connection with a complaint of sexual harassment. The contact person/ advocate should support the student in the complaint and investigation process which can include accompanying the student making the initial report of sexual harassment under the complaint procedure, and sitting in on meetings with the student, and others.

B. Sexual harassments complaints will normally be investigated by the Vice President for Student Affairs, Associate Dean of Student Affairs or the Human Resources Manager. However, in certain circumstances (for example, if the accused harasser is in the investigator's chain of command), the President will appoint an investigator.

II. SANCTIONS

A. Sanctions for violations of this policy will be determined by the University in its discretion, and may include a written apology and/or other disciplinary action up to and/or including termination from the University and/or the sanctions described in the Student Code of Conduct depending on the circumstances of any proven incident.

III APPEAL PROCESS

A. If either party involved in a sexual harassment complaint is dissatisfied with the results of the investigation; the party may appeal the determination of the investigation within 10 calendar days notice of the investigation determination. Appeals must be made in writing to the President. President, working with an Ad Hoc Advisory Committee, will review the determination of the investigation together with the written appeal of the dissatisfied party, and conduct further inquiry and/or investigation as the President deems appropriate.

B. The Ad Hoc Committee will be comprised of three (3) men and three (3) women of the Franklin Pierce Community appointed by the President to serve in an advisory capacity to the President on all appeals. Alternates will also be named to the Ad Hoc Committee in the event a regular member is unavailable or disqualified (for example, if he/she is a party to the complaint). In the case of a student complaint against any faculty or staff member, a student representative will be appointed by the President to serve on the Ad Hoc Committee.

C. The President will normally render a decision within 30 calendar days in writing to both parties. If a decision cannot be rendered within 30 days, the President will so notify the parties and will then render a decision as soon as possible. The President's decision shall be final.

D. If a student is the accused wrongdoer in a sexual harassment complaint, the appeal process outlined in the Student Code of Conduct, Article IV: Judicial System and Process shall be followed.

HEALTH POLICIES

Franklin Pierce University requires each student to have a completed Health Assessment Form on file in the Health Center. Included in the Health Assessment Form are a health history, physical examination report, and immunization records. In accordance with the New Hampshire Division of Public Health Services, the University requires proof of immunity to measles, mumps, rubella, tuberculosis, tetanus and meningitis. Guidelines for immunity standards follow recommendations from the Center for Disease Control, Atlanta, GA. Students wishing an exemption from the immunization requirement on religious grounds must make a written request to the Director of Health Services. Any student who does not comply with the above will be excluded from class registration until such information is provided.

ADMINISTRATIVE WITHDRAWAL

The VP for Student Affairs, or his/her designee in consultation with other student services staff, may require withdrawal for medical or emotional reasons when a student exhibits behavior which is dangerous to self or others and/or disruptive to the normal

activities of the University. Students will be informed of the recommendation to withdraw, and ordinarily parents or guardian will be asked to participate in the process. If the student does not choose to file a voluntary withdrawal for medical reasons, action under disciplinary procedures may be initiated. Conditions for readmission will be specified in writing, and the Center for Outreach Education or Health Services staff will review conditions and make recommendations to the VP for Student Affairs or his/her designee prior to a student's readmission to the University.

SUMMER SCHOOL

Certain services typically offered during the academic year may not be provided during the summer sessions. Examples are Health Services, Outreach Center (e.g. counseling) Transportation, Activities, and at select times Food Services. Students should inquire about what services would be available before registering for the summer.

ATTENDANCE

Students are expected to attend classes and to honor all academic appointments. Since most courses are planned and conducted with a high premium on student participation, absence from class or laboratory sessions may well be reflected in lower grades.

The faculty member determines satisfactory class attendance. At the beginning of the semester, each faculty member will announce the attendance policy and requirements. Many faculty members keep accurate daily records of class attendance and most faculty report the total number of absences for each student on mid-semester evaluations. Continued unsatisfactory attendance may result in withdrawal from or failure in the course.

ALCOHOL AND DRUGS

Possession and use of non-prescribed drugs is incompatible with the educational process and inconsistent with the purposes of the university community. The possession of drug paraphernalia is prohibited on campus, and the sale of drugs will result in separation from the University. Franklin Pierce prohibits alcoholic beverages in all public areas of the campus, including lounges and corridors of residence halls and outdoor areas unless special permission is received for a particular function. All first and second year living areas (NH, MW, GH, MO, ED & CH) are designated as alcohol free.

Common sources of alcohol are prohibited by the University. Common source is defined as a large amount of alcohol present which is in excess, or beyond a reasonable amount, for the number of people present who are 21 years of age or older. Common sources include, but are not limited to, kegs, beer balls, and around the world parties. This regulation is due to the University's recognition that too often common sources of alcohol contribute to irresponsible consumption and associated negative behaviors. Further, parties where money is collected or tickets are sold are

prohibited. Any alcohol paraphernalia, such as, funnels, taps, kegs, etc. are prohibited and will be confiscated. These items will not be returned to students.

NEW HAMPSHIRE STATE LAWS

As a member of the Franklin Pierce University community, students reside in the state of New Hampshire, and therefore are responsible for knowing and abiding by all the state laws. State law forbids the possession of alcoholic beverages as a minor.

No licensed sales agent, nor any other person, shall sell or give away or cause or permit or procure to be sold, delivered or given away any liquor or beverages to a person under the age of 21 years, to an habitual drunkard, to an insane person, to a person under the influence of liquor, or to any other person to whom any court, selectman of a town, chief of police, overseer of public welfare or the commission shall prohibit sale.

NH RSA 1758A

Students over 21 are subject to prosecution if they sell or give alcoholic beverages to a minor. Also RSA 265:821 is amended to provide that a driver under the age of 21 with a Blood Alcohol Content (BAC) of 0.02 or more may be charged with DWI. For an average person, 0.02 BAC would be less than the equivalent of one beer or light drink.

Alcohol and Other Drugs Concerns Committee is assembled periodically to review these and other related regulations. An Alcohol and Other Drugs Committee recommends to the Vice President for Student Affairs the appropriate campus policies and programs.

The University has adopted the following guidelines:

1. The University has the responsibility to exercise prudent control over the use of alcohol on and off-campus at university-sponsored events.
2. Food and non-alcoholic beverages of sufficient quantity must be available whenever alcoholic beverages are served at events on or off-campus.
3. Individuals and/or sponsors of activities, events, or parties where alcohol is served are responsible for clean-up and damage.
4. No alcoholic beverages are permitted in or out-of-doors, except in the Raven's Nest and designated special living options. Special permission must be obtained for special functions in other locations (on or off-campus) from the appropriate member of the Senior Staff.
5. Incident reports from the Department of Campus Safety indicate if the incident is alcohol-related and are reported to the Associate Dean of Student Affairs.

6. In promoting university events, alcoholic beverages may not be mentioned in advertising material.
7. Specific alcohol policies can be found in the College at Rindge Student Code of Conduct.

ANIMAL POLICY

Animals are not allowed in any university building or on university premises. All pets, with the exception of fish kept in an aquarium no larger than twenty-five gallons, are prohibited from university residence. Violations of this policy will result in confiscation of the pet as well as potential suspension from on-campus housing.

ROOM ENTRY POLICY

Franklin Pierce University recognizes the privacy rights of its students, but wants to indicate clearly that any university official has the authority and the obligation to enter any student room where she/he believes a violation of university policy is occurring, has occurred, or if the health and safety of the occupant is called into question. Resident students can expect staff response when noise, partying activity, offensive odors including smoking, and violation of fire regulations extend beyond the privacy of the room. Consequences of violations are stated in the sanctions guidelines of the College at Rindge Student Code of Conduct. In addition, the University will periodically inspect student rooms for 1) fire safety and 2) for maintenance issues. These inspections are scheduled through Residential Life.

IDENTIFICATION AND DIRECTORY INFORMATION

Every registered student is required to possess an official university identification card issued by the Campus Safety Office and to produce it upon request by university officials. University officials include all university employees; faculty, staff. Failure to do so may result in treatment as a non- student. Upon withdrawal from the University, the ID card must be returned.

The University requires an accurate local address and telephone number for each student as part of registration for each semester. The Residential Life Office must receive this information prior to the end of the add-drop period.

COMPLIANCE WITH OFFICIAL REQUESTS

Students are required to respond in a timely manner to reasonable requests from any university office or official. Notification may be requested verbally, in writing, campus e-mail, or by the Voice Mail phone system. Failure to do so may result in judicial proceedings for "failure to comply" with the request of a university official. Students are responsible for checking their voice mail, e-mail, and post office box on a daily basis. E-mail is the preferred method of University communication.

GRIEVANCE

FRANKLIN PIERCE UNIVERSITY GRIEVANCE AND APPEAL PROCEDURE RELATED TO SECTION 504 AND ADA

It is the policy of Franklin Pierce University to comply with Section 504 Regulations of the Rehabilitation Act of 1973, The Americans with Disabilities Act of 1990, and other applicable state regulations. Accordingly, any member of the University community who believes that there has been a violation of the regulations is encouraged to discuss the matter with the Section 504/ADA Compliance Officer, or other persons identified by the Compliance Officer, in order to resolve the matter in a prompt and equitable manner. If such discussions do not resolve the matter, the individual may then initiate a grievance by taking the steps outlined below:

1. It is the intention of this policy to address and remedy complaints at the lowest administrative level possible. However, as this policy outlines, grievances can be pursued up to a presidential committee. As such, community members who feel as though they have been discriminated against on the basis of disability should consider that their grievance is being made to the President of the University.
2. In the case of a grievance, the individual should discuss his/her objection with the person responsible for the office or department where the objection was originally raised. The 504/ADA Compliance Officer can be of assistance in referring the individual to the appropriate person and office. The address and telephone number for the Section 504/ADA Compliance Officer is listed below, under #4.
3. If not satisfied, the individual should discuss the objection with the senior staff member under whose jurisdiction the department falls. The Section 504/ADA Compliance Officer can help the individual in identifying who the senior staff member is.
4. If the grievance is not satisfactorily resolved, the individual should write a letter appealing the grievance, requesting a formal hearing with the President's Advisory Committee on The Needs of Persons with Disabilities. The request must be filed with the Section 504/ADA Compliance Officer in Student Affairs, Granite Hall (telephone 899-4162).
5. Upon receipt of the written request for a formal hearing, an Ad Hoc committee of the President's Advisory Committee will hold a hearing within three (3) calendar weeks. The chair of the Committee will hear the grievance with two other members of the full Committee. The two other members shall be selected by the chair. The senior staff member, under whose jurisdiction the matter falls, will be invited to the hearing. The Ad Hoc Committee must allow a full and fair opportunity for the

presentation of evidence relevant to the reason(s) for the hearing request, by any party, as deemed appropriate by the Ad Hoc Committee. The Ad Hoc Committee must render a decision in writing to the grieving individual, as well as University personnel affected by the decision, within one week of the conclusion of the hearing.

NOTICE OF NONDISCRIMINATION

Franklin Pierce University does not discriminate on the basis of race, color, national origin, age, sex, sexual orientation, or disability in admission to, access to, treatment in or employment of its programs and activities. The following person has been designated as ADA/Section 504 Compliance Officer to handle inquiries regarding the nondiscrimination policies:

Dr. Jim Earle
Vice President for Student Affairs
Office of Student Affairs
603-899-4162

In addition, inquiries regarding the application of nondiscrimination policies may be referred to the Regional Director, Office for Civil Rights, US Department of Education, McCormack, P.O.C.H. Room 222, Boston, MA 02109-4557.