



STUDENT HANDBOOK

Division of Student Affairs

Revised August 2019

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INTRODUCTION

Franklin Pierce University is an academic community dedicated to intellectual, moral, the personal growth, and the well-being of its members. We come together with a common purpose, united by a

commitment to the optimal development of our individual and collective talents and abilities. Our tasks, in one respect, have a seemingly selfish aspect, since we focus so much of our energy on our individual minds, on our own individual lives. The pursuit of personal excellence, however, though sometimes lonely, should not be thought of as selfish. The life of a university is a shared life, and the richest experience is possible only when we see ourselves not just as individuals, but as contributing, responsible members of the larger community... and that is what a good university must be.

There can be no sense of community without shared beliefs about what is valuable, what is enriching, and what is good. Franklin Pierce University believes that our greatest responsibility is to take full advantage of our time here together. Our years at Franklin Pierce University provide a rare, invaluable opportunity for the kind of personal growth that Western culture has always revered as the highest good: the freedom and responsibility to do one's best. The chance to make our lives better through determined, conscious effort is what Franklin Pierce University is committed to achieving.

This student handbook is a piece of this effort to help students achieve these goals. It is a partial guide to the life of the University. To new students, it provides an introduction to co-curricular realities and expectations. It is not a mere list of "Thou-shalt-nots." It is a formal statement reaffirming the University's commitment to mutual respect, trust, and integrity as precious values in and of themselves. This document has emerged through our history as a way to create the best environment in which to most effectively pursue the fundamental goals of our university community. This document is not intended to be exhaustive. Students must also refer to the University Webpage, Student Code of Conduct and other University publications in order to be informed about University policy and expectations.

The 2019-2020 Franklin Pierce University Rindge Student Handbook contains information on policies and opportunities. We encourage and challenge you to seek out new areas of interest and get involved in activities that will make the university experience more rewarding in the years ahead. Education and learning are opportunities for personal growth and academic achievement. We expect you to identify concerns about the quality of life on campus and to participate with faculty and staff in achieving high standards of learning and growing in this beautiful setting. Maintaining a healthy campus environment requires a balance between individual rights and responsibilities and those shared experiences that contribute to the common good and give rise to establishing the university community.

SECTION ONE: STUDENT HONOR CODE

On March 23, 1999, the Franklin Pierce University Student Senate passed, by overwhelming majority, a resolution calling for the implementation of a University honor code. This code was approved in the April 26, 1999 session of the Student Government Association (SGA).

The goal of this Honor Code is to establish a set of principles to help define and guide responsible membership in this community.

Franklin Pierce University recognizes its highest goal to be the development of intellect and character. That which sets Franklin Pierce University apart from others is that we demand that community members make contributions far larger than they could have hoped when they arrived.

As a member of this community, ALL matriculated students must affirm the following commitments:

I agree to read, understand and abide by standards of behavior outlined in the Student Code of Conduct and The Student Handbook. Both the

Student Code of Conduct and the Student Handbook can be found at our website franklinpierce.edu. These important documents outline rules and policies that establish norms for the community. It is every member's responsibility to follow these standards, but also to enforce them with others.

I will respect myself, other students, faculty and staff. What makes this community so special is the richness and diversity that every individual brings. Understanding and appreciating individual difference is one of the most powerful learning experiences. Thus, we commit to understand one another, to respect one another and care for others.

I will respect the University. We are proud of past contributions people have made for the Franklin Pierce of today. We understand that sacrifices have been made so that we may enjoy this campus. The natural beauty of the region is also spectacular. We agree to improve the environment, whether it is the buildings and facilities or the natural environment.

I agree to be involved in the life of the University. A vibrant learning environment is one in which students, faculty and staff are involved in all aspects of University life. Generally, students attend University to learn and develop as individuals. At Franklin Pierce University, we emphasize not only the formal classroom learning, but also learning that occurs outside the classroom through clubs, activities and leadership opportunities. It is everyone's responsibility to be involved in shaping themselves and the University.

I am responsible for my own learning and development. As learners, we commit our energy to becoming the best that we can be. We understand our obligation to others and ourselves. We can advance ourselves through hard work, high standards and service.

I agree to abide by the highest standards of academic integrity. We will neither engage in nor tolerate acts of academic dishonesty; including but not limited to: plagiarism, cheating, and soliciting academic work from

others to present as our own. Furthermore, it is acknowledged that failure to disclose such violations by others is itself a violation.

In joining Franklin Pierce, I commit myself to these principles and accept responsibility bestowed upon me to develop and enhance a culture of respect and responsibility.

SECTION TWO – STUDENT HEALTH

Health Services

All students at Franklin Pierce University in Rindge have access to Health Services, which provides a wide variety of services. Most of the care rendered is at no charge to the student. Charges may be incurred for laboratory testing, x-ray, pharmacy items, or referrals for special medical problems.

Health Services is located in the lower level of Granite Hall. It is staffed Monday through Friday 8 a.m. – 4:30 p.m. during the academic year by an RN and ARNPs to treat students at the main campus. EMTs are available to assist with student medical emergencies 24 hours a day. There are consulting physicians and hospitals available in several nearby communities with most medical specialties being represented. All medical information about students 18 years and older is confidential and will not be released without the student signing a Release of Information Form.

The Health Services staff considers health teaching and preventative medicine to be equally as important to the student as the care of health problems. Students are encouraged to consult the Health Services staff for counseling and advice on any topic related to general health. Health Services is not open during the summer or break periods, nor are the EMTs on call during these times.

With the passing of the Affordable Care Act (ACA), all Individuals are mandated to have a certain level of Healthcare Insurance. As a result, Students are required to provide Health Services with their insurance information prior to enrolling in course work.

Health Services participates in yearly licensing by the New Hampshire Department of Health and Human Services, which requires a completed medical file maintained at Health Services for each student to receive health services on the Rindge Campus. These files consist of a Health Assessment Form, a physical exam within one year of admission, proof of immunizations, requiring two MMRs, TB screening (foreign students proof of TB test), tetanus within ten years, polio, and a meningococcal vaccine (for freshmen received after the age of 16) and a signed consent form for medical treatment.

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ADMINISTRATIVE LEAVE OR WITHDRAWAL

The Dean of Student Affairs, or their designee in consultation with other student services staff, may require placed on leave or 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 leave or withdrawal for medical reasons, action under disciplinary procedures may be initiated. Conditions for readmission will be specified in writing, and the Center for Counseling & Outreach Education or Health Services staff will review conditions and make recommendations to the Dean for Student Affairs or their designee prior to a student's readmission to the University.

Students may be withdrawn for not participating in processes including but not limited to: registration, housing selection, timely payment of bills, and completion of health forms. Individuals in this circumstance will receive written communication from the University regarding the leave or withdrawal.

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, from the Dean of Student Affairs or their designee, for a particular function. The consumption of alcohol and/or other drugs is not considered a legitimate excuse for violation of university policy. Irresponsible behavior related to alcohol use will be regarded as a violation.

Additionally, the University has designated certain residence halls (such as Mt. Washington, New Hampshire, Granite, Monadnock, Edgewood, Cheshire and any residential housing designated as "Wellness Housing" by the Director of Residential Life) as alcohol-free, or as "dry," as these buildings primarily house students under 21. No student, regardless of age, may possess or consume alcoholic beverages in these buildings or other residential areas designated by the Director of Residential Life. Students that live in Mountainview, Northwoods, Lakeview or Sawmills apartments will have designated dry apartments unless 50% or more of the residents living in the space are over the age of twenty-one.

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, and beer balls. 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 and local ordinances. 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 alcoholic beverages to a person under the age of 21 years, to a 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.

New Hampshire law states that individuals over 21 are subject to prosecution if they sell or give alcoholic beverages to a minor. A driver under the age of 21 with a Blood Alcohol Content (BAC) of 0.02 or more may be charged with DWI. The Town of Rindge, New Hampshire has an ordinance that prohibits open alcohol containers in public areas. This includes all exterior spaces on the Franklin Pierce University campus.

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 will be held throughout the academic year. Information on Drug Free schools can be found on eRaven at

franklinpierce.edu/studentlife/drugfree.html.

- D. Referral services and outreach - Programs on alcohol and drugs are coordinated through the Center for Outreach Education.

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.

In order to qualify for medical amnesty, the student must seek and obtain medical attention at the time of the incident. 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.

Request for amnesty must be done by the student involved and inquiries should be directed to the Assistant Dean of Student Affairs and Retention. Medical Amnesty and Good Samaritan policy conditions and stipulations are to be determined on a case by case basis by the Office of Community Standards and Student Conduct. Determination as to whether a student qualifies will be made during or prior to a student conduct hearing.

ANIMALS

EMOTIONAL SUPPORT ANIMAL (ESA)

In accordance with Housing and Urban Development (HUD) and the Fair Housing Acts students requesting an emotional support animal in residence must request an accommodation through Residential Life. In

accordance with American with Disabilities Act (ADA) students who wish to have a service animal in residence must notify Residential Life of a need for an accommodation for a service animal. For more information, please refer to the Residential Life website or the Director of Residential Life or the Coordinator for Student Accessibility Services.

PET POLICY

Pets 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.

SERVICE ANIMAL POLICY

Franklin Pierce University is committed to creating an environment where all individuals are welcome and are able to participate within the community.

Access rights afforded to users of service animals come with the responsibility of the individual with a disability to ensure compliance with all requirements of this Statement. The individual assumes full personal liability for any damage to property or persons caused by their service animal, and Franklin Pierce University shall not be responsible for any harm to a service animal while on campus, including but not limited to injury to the animal caused by pest management or lawn care products.

In accordance with American with Disabilities Act (ADA) students who wish to have a service animal in residence must notify Residential Life of a need for an accommodation for a service animal. For more information please refer to the Director of Residential Life or the Coordinator for Student Accessibility Services.

CAMERAS

Franklin Pierce University is committed to enhancing safety and security by integrating the best practices that include the utilization of a security and safety camera systems. The surveillance of public areas is intended to deter crime and assist in protecting the safety of the students, faculty, staff, and visitors to the campus along with the property of the University. This practice addresses the University safety and security needs while respecting and preserving individual privacy.

A variety of surveillance cameras around campus which will be fed into Campus Safety. While these cameras record activity in the areas in which they have been placed, as a general practice, they may not be monitored in "real time." They are intended to deter illegal and inappropriate behavior, and will be used to investigate violations of the law or policy. These cameras will not view private living areas, such as restrooms but instead have been and will continue to be located in high traffic and high utilization public spaces.

CONFISCATED PROPERTY

Confiscated property/items may be removed by the Department of Campus Safety or Residential Life. If a prohibited item is found it will not be returned if it presents a Health and Safety risk to the community.

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 or in writing. Failure to do so may result in Student Conduct 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.

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 semester by semester basis and are reflected on the student(s) account accordingly. Students charged with damaging property may also be referred to the University Conduct 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 or they should obtain renter's insurance. The University provides literature about a renter's 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 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 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.

DRONES

The use of drones in or around University residence halls is prohibited.

EMAIL AND ELECTRONIC SIGNATURE

The University maintains email accounts for all students and therefore, does not save student's personal email accounts. The University uses the

Franklin Pierce email account as an **official** means of communication with students. University staff, faculty and departments will communicate to students directly through Franklin Pierce email and in many instances, will consider this email correspondence as the student's signature. Faculty may communicate to an entire class of students in the same email and may expect students to reply in kind. Students are responsible for maintaining their University email account so that it is open for new mail and are expected to read their University email regularly and respond appropriately. If students choose to forward their University email to another email provider, they are still responsible for receiving all University communications

FIRE SAFETY AND FIRE REGULATIONS

As a community, we are concerned about the health and safety of all members. Persons pulling false alarms, tampering 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 conduct 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 may be assessed possible fines and may be referred to Student Conduct.

Fire alarms will be billed to residents in accordance with the damage and vandalism policy. Because these are costs associated with false alarms, and billed to the University by the town fire department as dictated by ordinance, costs are billed back to residents accordingly. If the individual responsible for the false alarm can be determined, they will be billed, but if this cannot be determined, the building or area will be billed.

Students who are found responsible for covering a smoke detector will be sanctioned with at least the following;

- 1st Offense: will result in a \$100 Fine and Conduct Probation for the semester
- 2nd Offense: will result in a \$200 Fine and Deferred Residence Hall Suspension
- 3rd Offense: will result in University Residence Hall Suspension

In instances where a student violates fire safety regulations, Rindge Fire Department and Rindge Police Department have the authority to summons that student to court for a Misdemeanor Charge of "Disorderly Conduct." They also have the authority to charge students with a Felony Charge of "Tampering with Life Safety Equipment."

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 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/**propped** open at any time. Private gatherings must be limited as stated in social gathering policy 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.

FUNDRAISING

The University Office of Advancement is responsible for the solicitation and recording of all gifts to Franklin Pierce University. The University's fundraising 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 Advancement Office. Any solicitation of any kind during Alumni

Reunion Weekend, Family Day & Homecoming, as well as Athletic Games also requires the approval of the Office of Advancement.

Student Government Association, as well as relevant student organizations overseen by the Office of Student Affairs, interested in on-campus fund-raisers should get approval from the Assistant Director of Student Involvement. Academic student clubs as well as sports clubs interested in on-campus fundraisers should get approval from their club advisor. Solicitation of gifts, prizes, etc. from local merchants requires the approval of either the Office of Advancement or the appropriate student club advisor.

It is important to note, solicitation at athletic games require the approval of the Office of Advancement.

The University understands that students, especially those affiliated with FPU-recognized clubs and other student organizations, may wish to seek external funds to support key initiatives and projects. It is, therefore, important that students understand that the University benefits greatly from the ongoing generosity of Franklin Pierce University alumni and parents who provide significant monetary support for student-related events/programs and services on an annual basis. In addition, businesses and vendors throughout the Rindge-Keene-Manchester community also contribute significantly to the University by providing monetary support and services that enrich life at Franklin Pierce University. For these reasons, it is imperative that all fundraising activities are approved by the Office of Advancement.

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 becomes the final arbitrator/mediator.

HAZING

Hazing is a violation of New Hampshire law and University policy. Any student violating this policy will be subject to disciplinary action and will be reported to law enforcement authorities. In addition, when this policy is violated, action may be taken against all participants. Hazing risks human lives, mistreats those involved and jeopardizes the affiliation of campus organizations at the University. Hazing is defined as any act (occurring on or off campus) that is likely to be perceived by a reasonable person as: Physically, emotionally or psychologically humiliating or abusive or that endangers the health or safety of an individual or select group of individuals as part of the process of gaining entrance or acceptance into an established group, team or organization.

HEALTH POLICY

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 attendance, class registration, residential living, and co-curricular activities until such information is provided.

IDENTIFICATION

Every registered student is required to possess an official university identification card issued by the Department Campus Safety and to produce it upon request by university officials. The ID is required to check materials from the library, eat in the dining commons (for students on the meal plan) and use athletic facilities. Identification must also be presented to a Campus Safety Officer or other University official, upon their request in accordance with the Student Code of Conduct. Franklin Pierce ID cards are issued and/or validated at time of entry and replacements can be obtained throughout the year at the Campus Safety Office (a fee will be applied to the student's university account).

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.

INCIDENTS OF HATRED

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 conduct system will view incidents of hatred as a serious violation of our Student Code of Conduct, and conduct outcomes may include any sanctions indicated in the Student Code of Conduct, including expulsion. Incidents should be reported to a staff member in Residential Life (ext. 4176), or the Department of Campus Safety (ext. 4210).

MOTOR VEHICLE POLICIES

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.

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. 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 parking fines committed by their guests.

PARKING FINES

Fire Lane/Restricted Area	\$100.00
Handicapped Parking	\$100.00
Blocking Fire Hydrant	\$100.00
Towed Vehicle	\$100.00
Hindering Snow Removal	\$100.00
Failure to Display/Unregistered (University)	\$50.00
Unauthorized Use of/Forged Permit	\$50.00
Unsafe Operation	\$50.00
Wrong Way	\$50.00
Blocking Traffic/Roadway/Dumpster	\$50.00
Driving/Parking on Sidewalk/Lawn/Crosswalk	\$25.00
Unauthorized Parking	\$25.00
Not a Parking Space	\$25.00
Expired or Unregistered Vehicle (State)	\$25.00
Booted Vehicle	\$25.00
Other	\$25.00

VEHICLE REGISTRATION/ PARKING DECALS

Parking Permit Application Instructions

1. Navigate to eraven.franklinpierce.edu
2. Click on Campus Web
3. Login to Campus Web
4. Click on the Campus Life Tab on the top menu bar

5. Click on Parking Permits on the left menu list
6. Click on Parking Permit Application
7. Complete Form
8. Submit

After you submit your application, the Department of Campus Safety will review the application and assign you a permit number. Once a number has been assigned your parking permit will be placed in your on-campus post office box within 48 hours.

NON-SMOKING POLICY

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. There is no smoking in any common area within the residence facilities; this includes all hallways, restrooms, stairwells, etc.

All residential housing is smoke free, this includes but is not limited to cigarettes, hookahs, and electronic smoking devices (vaping devices). Students who are found responsible for smoking will be sanctioned with at least the following;

- 1st Offense: will result in a \$100 Fine and Conduct Probation for the semester
- 2nd Offense: will result in a \$200 Fine and Deferred Residence Hall Suspension
- 3rd Offense: will result in University Residence Hall Suspension

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 \$50.

Complaints should be directed to the Department of Campus Safety, where they will be investigated. The resulting report will be forwarded to Student Conduct and Community Standards.

“Smoking Zone Policy.” This policy prohibits smoking within twenty-five (25) feet of any building doorway. The goal of this policy is to ensure a smoke free zone surrounding all entrance ways to buildings.

RAVEN NATION APP AND TECHNOLOGY

The purpose of the Raven Nation Mobile App is to foster a safe and supportive environment at Franklin Pierce University. We value your privacy and protect your personal information. By signing up for the Raven Nation App, you agree to our privacy policy and terms of service. As a member of the Franklin Pierce community, please remember that all Franklin Pierce University policies apply when using the mobile application.

Unauthorized, unsanctioned, or inappropriate use of the University’s technological equipment or services (i.e. computers, services, telephones, voicemail, etc.) are violations. Refer to the Technology Policy for Student Use.

WEAPONS POLICY

It is a violation of university policy to possess any instruments/devices that are designed or may be used as a weapon to injure or threaten another individual. Possession or use of firearms, other weapons, or explosives, are 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, paintball guns, box cutters, Tasers, stun gun, swords, bow and arrow, martial arts weapons, brass knuckles, including non-culinary knives with a blade greater than three (3) inches, sling shots, pellets, bullets, 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.

SECTION FOUR – RESIDENTIAL POLICIES

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. Returning students are housed according to a room selection, but are not guaranteed housing. Students who wish to reside off-campus must request approval from the Residential Life Office in advance of signing any lease or making any commitments to live off campus. Approval is not guaranteed.

If an individual is registered as a part-time student, enrolled in less than twelve credit hours during the semester, that student is not eligible to reside in university owned or operated housing unless they first gain permission from the Director of Residential Life.

CABLE TELEVISION SYSTEM

COURTESY AND QUIET HOURS

EMERGENCY EXIT DOORS

FURNITURE POLICY

HEALTH AND SAFETY INSPECTIONS

MEAL PLAN CHANGES

PROHIBITED ITEMS

PROHIBITED ITEMS FOR GRANITE, NEW HAMPSHIRE, MT.

WASHINGTON, EDGEWOOD, AND MONADNOCK HALLS

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SUMMER HOUSING

CABLE TELEVISION SYSTEM

The University Cable Television provides service to all campus residences. Students may bring a television from home and receive Franklin Pierce Cable programming in their residence hall rooms. RG6 quality cables are required and may be brought from home or are available for purchase at the University Bookstore. The television you bring to campus, must have QAM tuning capability. Most HD or digital TVs sold after 2006 have an internal digital QAM tuner.

Look for 'digital video broadcast (DVB)', 'DTV tuner', 'digital cable tuner'. On your TV remote control, a dot (.) or dash (-) on the remote is normally used during the tuning process. If the TV remote has a dot or dash, the TV probably has an internal digital QAM tuner. Check your manual for scanning or manual channel instructions.

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 hallmates, classes in residential areas or any university sponsored activity.

Quiet Hours are in effect in all residential areas:

Sundays – Thursday: 10 p.m. – 8 a.m.

Friday & Saturday: 1 a.m. – 8 a.m.

EMERGENCY EXIT DOORS

Individuals who prop open the doors and/or allow others into the Residence Hall (who are not allowed to be there) will be held accountable

under the Student Conduct process. All other exit doors in Residential facilities will be used for emergencies only. If a student exits a building through an emergency exit door, an alarm will sound. The doors are clearly marked.

FURNITURE POLICY

The university supplies bedroom and common area furniture respective to your residence that meets the fire deterrent standards set forth in the California Code that further insures your safety. Personal furniture is allowed if it meets all fire safety criteria, and is approved by Residential Life. 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.

HEALTH AND SAFETY INSPECTIONS

Residential Life in conjunction with the Facilities Department coordinates at least six room health and safety 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.

MEAL PLAN CHANGES

All first time first year students are required to be on the all access meal plan, regardless of where they reside on campus. Commuter students are exempt from this requirement, but may opt to participate in any one of the University's meal plan options by enrolling in the Residential Life office. Sophomores living in traditional residence halls have the option of

the all access or 15 meal plans; junior or seniors living in Lakeview, Sawmill, Northwoods or Mountain View may elect one of the other plans or no meal plan. Any upper- class (non-freshman) student living in standard residences (Granite, Mount Washington, New Hampshire, Cheshire, Monadnock or Edgewood) must elect one of the meal plans available to them. Any changes to meal plan options must be made before the Add/Drop Period ends. The form can be found on Campus Web under the Campus Life tab. Any exceptions (e.g., documented medical issue that necessitates being off the meal plan) must be approved by the Coordinator for Student Accessibility Services before the end of the Add/Drop Period.

PROHIBITED ITEMS

PROHIBITED ITEMS FOR GRANITE, NEW HAMPSHIRE, MT. WASHINGTON, EDGEWOOD, AND MONADNOCK HALLS

The following appliances and other items are prohibited in all traditional residences. These items are responsible for actual fires in college and university housing units throughout the United States.

Hot Plates	Oil Lamps	Sparklers
Smoke Bombs	Chemicals	Space Heaters
Smoke Machines	Immersion Coils	Fireworks
Candles (This includes for religious purposes)	Refrigerators Larger than 3 Cubic Feet	Microwaves not provided by Microfridge
Electrical wiring that is homemade or modified creating a shock or fire hazard.	All flammable & combustible liquids. Includes art supplies such as thinners	Hoverboards and Gasoline-powered items motorcycles, mopeds, or their components.
Devices with open flames	Electric Toaster Ovens	Halogen Lamps

Incense and Burners	Air Conditioners	Electric Skillets or Pans
Electric Woks	Rice Cookers	George Forman Grills
Propane Grills or Tanks	Toasters	Ceiling Fans
Wall hangings made of burlap or any flammable material, tapestries, fish netting, flags or wicker. Nothing Combustible attached to ceilings.	Extension cords longer than six (6) feet. Ext cords must be in plain view, may not be run under rugs, doors or secured to building or furniture.	Any decorative lighting that is hung from the ceiling or is in contact with any combustible materials tapestry, posters, and pictures

Cooking is not allowed in residence halls or suite rooms, or in any other room except the kitchen.

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 surge protection device in them such as a circuit breaker.

PROHIBITED ITEMS FOR MT. VIEW, NORTHWOODS, CHESHIRE, LAKEVIEW, AND SAWMILLS

The following appliances and other items are prohibited in all non-traditional residences. These items are responsible for actual fires in college and university housing units throughout the United States.

Hot Plates	Oil Lamps	Sparklers
Smoke Bombs	Air Conditioners	Space Heaters
Smoke Machines	Immersion Coils	Fireworks

Candles (This includes for religious purposes)	Refrigerators Larger than 3 Cubic Feet	Propane Grills or Tanks
Incense and Burners	Chemicals	Halogen Lamps
Devices with open flames	Ceiling Fans	
Any decorative lighting that is hung from the ceiling or is in contact with any combustible materials tapestry, posters, and pictures.	Extension cords longer than six (6) feet. Cords must be in plain view, may not be run under rugs, doors or secured to building or furniture.	Wall hangings made of burlap or any flammable material, tapestries, fish netting, flags or wicker. Nothing Combustible attached to ceilings.
Electrical wiring that is homemade or modified creating a shock or fire hazard.	Hoverboards and Gasoline-powered items motorcycles, mopeds, or their components.	All flammable & combustible liquids. Includes art supplies such as thinners

The following appliances ARE APPROVED for use in the KITCHEN AREA ONLY of Cheshire, Mt. View, Northwoods, Lakeview and Sawmill Residence Halls. Approval is granted only if the appliance is Underwriters Lab (UL) listed and the unit is properly connected to the wall outlet:

Microwaves not provided by Microfridge	Electric Toaster Ovens	Forman Grills
Toasters	Electric Skillets / Electric Frying Pans	Rice Cookers
Electric Woks		

Cooking is not allowed in any rooms except the kitchen. 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 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.

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 surge protection device in them such as a circuit breaker.

ROOM CHANGES

Students may not change rooms within the first two weeks of the semester. During the first two weeks of the semester the University puts a "freeze" on any room change activity in order to account for all residents and open rooms. Students may make room changes after the "freeze". All changes must be approved by the Department of Residential Life prior to any physical move taking place. There will be no refunds for any portion of the room charges, nor will there be additional charges added to the student's statement after the first two weeks. Once a student checks in to a residence hall, the student may not change status from a resident student to a commuter student. Any exception to this rule must have the approval of the Dean of Student Affairs. Any refund will follow the schedule prescribed under "Withdrawal for Regular Terms."

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 Student Code of Conduct. In addition, the University will periodically inspect student rooms for 1) health and safety and 2) for maintenance issues. These inspections are scheduled through Residential Life.

TELEPHONES IN STUDENT RESIDENCES

Franklin Pierce University provides local dial tone to each residence hall room and each bedroom of the special living options upon request. Each student and their roommate need to provide one analog telephone per room for making and receiving calls, and access to 911. Long distance calls can be made by using a calling card, either pre-paid or billed, purchased by the student or parent.

From off campus, people can either dial (603) 899-4100 or call (603) 899-4000 and the campus operator will connect them to your room, provided you have requested telephone service and have provided an analog telephone.

TTY Service: The University provides TTY service for the hard of hearing, located on the first floor of the library and available for student use. The telephone number is 603-899-1125. Faxes can be sent and received 24 hours a day from the Campus Safety building.

SOCIAL GATHERING POLICY

Students that reside in Northwoods, Mountainview, Lakeview or Sawmills have the privilege of living in spaces that can physically accommodate a greater number of students and/or registered guests. All students and apartments/townhouses interested in hosting an event that exceeds the individuals that live in the space and the maximum of two additional registered guests per student, must complete a workshop in order to better understand the responsibilities necessitated to host and required University expectations. For workshop details and requirements please go to the Residential Life website or the Office of Residential Life

STUDENT GUEST POLICY

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). 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, non-student or off-campus student, 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 current FPU student, they must be registered. It is the host's responsibility to register the guest.

To register a guest, the student must:

1. Go to the Raven Nation App
2. Select the "Guest Registration" tile
3. Complete the form and receive a guest pass to your student email

The guest must stay with the student who is sponsoring them, have the pass on them at all times and must present the pass to any University official when requested.

An off-campus student is permitted to visit the campus while classes are in session and if she/or decides to stay overnight in a residence hall then they must be sponsored by a residential student and sleep in their respective residence.

The student host is responsible for seeing that their 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.

Guests without proper identification and/or 17 years old will need the consent of the Experience Director of their area or the on duty Residential Life Professional Staff Member to be allowed to register and remain on campus. Minors who are 16 years of age or younger, unless a relative of a resident, may not stay overnight.

SUMMER HOUSING

Certain services typically offered during the academic year may not be provided during the summer sessions. Examples are Health Services, the Center for Counseling & Outreach, Transportation, Activities, and at select times Food Services, students should inquire about what services would be available before registering for any on-campus summer study or work.

SECTION FIVE - SEXUAL MISCONDUCT POLICY

I. INTRODUCTION

Franklin Pierce University is committed to creating a community free from violence. Sexual assault, sexual harassment, domestic violence,

dating violence and stalking as defined by State and Federal laws, will not be tolerated at Franklin Pierce University.

The University recognizes the necessity of a community which is open and intellectually stimulating, where diversity of ideas is valued and every person's safety, dignity, and autonomy is respected whether they are students, faculty, or staff, and regardless of race, ethnicity, age, religion, class, national origin, gender, sexual orientation, or disability. The University is committed to addressing all concerns relating to incidents of sexual misconduct.

All members of the Franklin Pierce community share a responsibility for upholding this policy as we strive to attain our goal of creating a violence-free community.

II. STATEMENT OF POLICY

Franklin Pierce University prohibits sexual misconduct in all forms. Sexual Misconduct includes all forms of sexual harassment, sexual violence, sexual discrimination, domestic violence, dating violence, and stalking. This policy applies to all students and third parties regardless of race, ethnicity, age, religion, class, national origin, gender, sexual orientation, or disability.

Sexual Harassment - This includes any unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with an individual's performance in the classroom, and creates an intimidating, hostile, or offensive environment in which to live and learn.

Sexual Violence - Any non-consensual sexual intercourse, non-consensual sexual contact and sexual exploitation:

- Non-consensual sexual intercourse includes, but is not limited to, penetration of bodily orifice (vagina, anus, or mouth) by an object

or body part, or attempts to commit the same, without effective consent.

- Non-consensual sexual contact includes, but is not limited to, physical contact or direct physical contact of the clothing covering a body part in a sexual nature (i.e., touching breast, buttocks, or pubic area) of anyone without his or her effective consent. In addition, any disrobing or other exposure to another without effective consent also constitutes non-consensual sexual contact.
- Sexual exploitation occurs when one person takes advantage of another without his or her consent for his/her own benefit, or to the benefit of anyone other than the person being exploited (examples might include: nonconsensual video, photography, audio-taping, or other mediums such as the Internet; peeping or voyeurism).
- Sexual Discrimination - Any behavior that is discriminatory or abusive towards the opposite sex. Sexual/Gender Discrimination includes any behavior that is discriminatory or abusive due to a person's gender or gender expression
- Domestic Violence - Any asserted violent misdemeanor and felony offenses committed by the student's current and former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under the domestic or family law.
- Dating Violence - A learned pattern of behavior used by one person to assert power and maintain control over another person in the context of an intimate relationship.
- Stalking - A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or other's safety, or to suffer emotional distress.
- Retaliation - In cases of Sexual Misconduct any form of retaliation is prohibited. The Federal civil rights laws make it unlawful to retaliate against an individual for the purpose of interfering with any protected right or privilege. This means that it is both unlawful and a violation of policy to take any adverse

action against any person for their reporting of either a formal or informal complaint or in any way participating in the investigation or resolution of a complaint. Retaliation includes any act which would intimidate, threaten, coerce or in any way discriminate against an individual because of their complaint or their participation in the complaint process.

III. STATEMENT ON CONSENT

For the purpose of Franklin Pierce University's policy and judicial procedures, consent is defined as the act of willingly agreeing to engage in specific sexual behavior. Silence or non-communication is not to be interpreted as consent and a person in a state of diminished judgment cannot consent. Consent requires that a person is able to freely choose between two options: yes and no. A person is incapable of giving consent if he/she is asleep, unconscious or otherwise unable to communicate. No one who has been threatened or coerced or drugged can consent. A person may be unable to give consent when he/she is under the influence of alcohol and/or drugs or is mentally handicapped. A current or prior sexual or dating relationship does not constitute consent. A person can withdraw consent at any time during the course of a sexual encounter. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another. Pursuing sexual contact in any form whatsoever with an unwilling or non-consenting partner is sexual assault. How exactly we know when the person we're with is consenting to, or refusing a sexual advance can be at times difficult to discern; nevertheless, the entire responsibility for correct discernment is upon the person making the advance. Both the complainant and respondent will be informed of the outcome of any campus disciplinary proceedings involving sexual misconduct.

IV. OPTIONS FOR ASSISTANCE FOLLOWING AN INCIDENT OF SEXUAL MISCONDUCT

Immediate Assistance:

- Campus Safety (603) 899-4210 or Emergency (603) 899-5555
- Residential Life (603) 899-4176 (after hours calls Campus Safety Dispatch at (603) 899-4210)
- Franklin Pierce Health Center (603) 899-4130 (after hours call Campus Safety Dispatch for EMTs at (603) 899-4210)
- Franklin Pierce Counseling and Outreach Education (603) 899-4130 (after hours call Campus Safety Dispatch at (603) 899-4210)
- Monadnock Community Hospital (603) 924-7191
- Monadnock Center for Violence Prevention (MCVP) (888) 511-6287
- Rindge Police Department 603-899-5009. If no answer call (603) 355- 2000 or 911 for Emergency.

Sexual Assault Response Team (SART)

There is a group of staff members charged with monitoring all sexual misconduct cases to ensure that students receive the assistance they seek (i.e., medical attention, counseling services, advocacy support, referrals, conduct intervention, etc.).

<https://www.franklinpierce.edu/studentlife/student-conduct/SARTHowtoReport.htm>

Options:

Students have the right to:

- Report their complaint to the Rindge Police Department
- Report the incident to University officials through Campus Safety, Residential Life or other Responsible Employees
- Report the incident anonymously as a third party
- Speak confidentially about an incident to a professional or licensed counselor or pastoral counselor at the university or off campus (e.g. Monadnock Center for Violence Prevention)
- Seek medical attention on campus through Health Services or EMTs or off campus at the local community hospital
- Have evidence collected by the Rindge Police Department or local community hospital

University officials can assist complainants in seeking this assistance.

On-Going Assistance:

Support and on-going assistance can be provided by the University's Counseling and Outreach Center or by the Monadnock Center for Violence Prevention.

Accommodations as Interim Measures:

The University can provide the following measures to ensure a student's or community safety and well-being:

- Interim Suspension
- No Contact Orders
- Modify class schedule
- Alternative housing arrangements
- Making other academic accommodations such as: absences, assignments, and grades
- Safety planning

V. REPORTING AND CONFIDENTIALITY

The Franklin Pierce Community understands that all parties involved in the report of a violation of the sexual misconduct policy experience significant distress, whether they be the complainant, the respondent, or another individual associated with the report. All parties involved are expected to be treated with respect and dignity and the community will provide a safe place where the individuals may receive appropriate personal support.

The University encourages complainants to talk to someone about what happened—students can get the support they need, and so the University can respond appropriately. Different employees on campus have different abilities to maintain a student's confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called “privileged communication.” Disclosures made to confidential parties are reported for statistical purposes only and are not investigated, unless the complainant wishes to do so.
- Other employees may talk to a student in confidence and generally only report to the University that an incident occurred without revealing any personal identifying information. Disclosure to these employees may not trigger a University investigation into an incident against the student’s wishes.
- Lastly, some employees are required to report all the details of an incident (including identities of both the complainant and the respondent) to the Title IX Coordinator. A report to these employees (called “responsible employees”) constitutes a report to the University and generally obligates the University to investigate the incident and take appropriate steps to remedy the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them—so they can make informed choices about where to turn should they become a complainant of sexual misconduct. The University encourages complainants to talk to someone in one or more of these groups.

A. REPORTING OPTIONS

Responsibility to Report

A “responsible reporter” is a University employee who has the authority to address sexual misconduct violations, who has the duty to report incidents of sexual misconduct or who a student could reasonable believe has the authority or duty to report.

When a student tells a responsible employee about an incident of sexual misconduct, the student has the right to expect the University to take

immediate and appropriate steps to investigate what happened and to resolve the matter promptly, fairly, and impartially.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual misconduct shared by the student and that the University will need to determine what happened—including the names of the complainant and respondent (s), any witnesses, and any other relevant facts, including date, time, and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to the report. A responsible employee should not share information with law enforcement without the complainant's consent or unless the student has already reported it to law enforcement.

All college employees (except Confidential Resources), including faculty, staff, coaches, experience directors and administrators are responsible reporters and have a responsibility to report to a Title IX Coordinator, any potential sexual misconduct or violations of this policy of which they become aware of so that the University can respond appropriately. Graduate Assistants, community assistants, and other students who have supervisory responsibility or other responsibilities for student welfare are also required to report to a Title IX Coordinator any sexual misconduct that is reasonably believed to be in violation of this policy. This requirement includes the identities of the complainant and respondent. No employee is authorized to investigate or resolve complaints of sexual misconduct without involvement in a Title IX review process.

Before a student reveals any information to a responsible employee, the employee should ensure that the student understands the employee's reporting obligations. If the student wants to maintain confidentiality, the responsible employee must direct the student to confidential resources.

If the student wants to tell the responsible employee but also maintain confidentiality, the employee should tell the student that the University will consider the request, but cannot guarantee that the University will be able to honor such request. In reporting the details of the incident to the Title IX Coordinator, the employee will inform the student that the complainant requests confidentiality.

Responsible employees will not pressure a student to request confidentiality, but will honor and support the student's wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure a student to make a full report if the student is not ready.

Confidential Resources

Confidential Resources include nurses and medical staff in Health Services, campus EMTs, Athletic Trainers, and counselors in Outreach and Counseling Services. While maintaining a complainant's confidentiality, these individuals or their office will report the nature, date, time and general location of an incident to the Title IX Coordinator (or Campus Safety). This limited report—helps keep the Title IX Coordinator informed of the general extent and nature of sexual misconduct on and off the campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the complainant to ensure that no personally identifying details are shared with the Title IX Coordinator.

Additional Confidential Resources are available off campus at the following locations:

- Monadnock Center for Violence Prevention (603) 352-3782 / (888) 511-6287
- Planned Parenthood Keene, NH (603) 352-6898
- Monadnock Community Hospital (603) 924-7191 (Emergency 911)

- National Sexual Assault Hotline (800) 656-HOPE (4673)

Law Enforcement (Criminal Complaint)

All complainants have the option to notify the local law enforcement of an incident of sexual misconduct. The University will provide assistance to the student in making this notification if the student chooses to do so.

B. REQUESTING CONFIDENTIALITY FROM THE UNIVERSITY

If the student discloses an incident to a responsible employee but wishes to maintain confidentiality or request that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the complainant.

If the University honors the request for confidentiality, a complainant must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the respondent(s) may be limited.

Although rare, there are times when the University may not be able to honor the complainant's request in order to provide a safe, non-discriminatory environment for all students.

The University has designated the following individual to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual misconduct:

Dr. Andrew R. Pollom, Dean of Student Affairs and Title IX Coordinator for Student Concerns (603-899-4162)

When weighing a complainant's request for confidentiality or that no investigation or discipline be pursued, the Dean of Student Affairs/ Title IX Coordinator for Student Concerns will consider a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of sexual or other violence such as:
 - Whether there have been other sexual violence complaints about the same respondent;
 - Whether the respondent has a history of arrests or records from prior school indicating a history of violence;
 - Whether the respondent threatens further sexual or other violence against the complainant or others;
 - Whether the sexual violence was committed by multiple respondents;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the complainant is a minor;
- Whether the University possesses other means to obtain relevant evidence of the sexual violence;
- Whether the complainant's report reveals a pattern of perpetration at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary actions. If none of these factors is present, the University will likely respect the complainant's request for confidentiality.

If the University determines that it cannot maintain a complainant's confidentiality, the University will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

The University will remain ever mindful of the complainant's well-being and will take ongoing steps to create a safety plan. Retaliation against

the complainant, whether by students or University employees, will not be tolerated. The University will also:

- Assist the complainant in accessing other available advocacy; or academic support; or counseling, disability, health or mental health services; or legal assistance;
- Provide other security and support, which could include issuing no-contact orders, helping arrange a change of living or working arrangements, or course schedules or adjustments for assignment or tests within reason; and
- Inform the complainant of the right to report a crime to local law enforcement—and provide the complainant with assistance if the student wishes to do so.

The University may not require a student(s) to participate in any investigation or disciplinary proceedings.

Because the University is under a continuing obligation to address the issue of sexual misconduct campus wide, reports of sexual misconduct (including non-identifying reports) will also prompt the University to consider broader remedial action—such as increased monitoring; supervision or security at location where the reported sexual misconduct occurred; increasing education and prevention efforts, included to targeted population groups; conducting climate assessment surveys; and /or revisiting its policies and practices.

C. MISCELLANEOUS

Public Awareness Events

- Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, classroom settings (papers, articles, presentations, discussions, etc.) protests, “survivor speak out,” or other forums in which students disclose incidents of sexual misconduct are not considered notices to the University of sexual misconduct for purposes of

triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide information about student's Title IX rights at these events if these disclosures are anticipated or planned.

- Although the University encourages students to talk to someone, the University provides anonymous reporting options. The anonymous reporting form informs the complainant that any identifiable information provided may serve as notice to the University for the purpose of triggering an investigation.
- Off-Campus counselors and advocates will also generally maintain confidentiality and not share information with the University unless the complainant requests the disclosure and signs a consent or waiver form.

Following is contact information for off-campus resources:

Monadnock Center for Violence Prevention (888-511-6287)

Monadnock Community Hospital (603-924-7994)

Mandatory Reporting

New Hampshire Law mandates that any person who has reason to suspect that a person is being abused or neglected must make a report to Bureau of Elderly and Adult Services (BEAS), for adults 18 years and older, or to the Division of Children, Youth, and Families (DCYF) for children under the age of 18. If you make a report to either BEAS or DCYF, please notify a Title IX Coordinator. Any questions regarding this policy can be directed to a Title IX Coordinator or Human Resources.

To report the potential of abuse or neglect involving an adult to the BEAS please follow these guidelines:

If the vulnerable adult is not living in a nursing home or assisted living facility, reports should be made to the Bureau of Elderly & Adult Services (BEAS) at 1-800-949-0470 (in-state) or 603-271-7014 (out-of-state) (8:00 am - 4:30 pm Monday - Friday) or the local district BEAS office. A list of BEAS district offices is available at:

<http://www.dhhs.state.nh.us/contactus/districtoffices.htm>.

If the vulnerable adult is living in a nursing home or assisted living facility, reports should be made to the Office of the Long Term Care Ombudsman at 1-800-442-5640 (in-state only) or 603-271-4375 (8:00 am - 4:30 pm Monday - Friday). A Facility Initial Report Transmittal Form is available at:

<http://www.dhhs.state.nh.us/dcbcs/beas/documents/facility.pdf>.

Reports should be made to the local police department or county sheriff after hours, weekends, or holidays. Local police station information can be found at the Division of State Police website (available at: <http://www.nh.gov/safety/divisions/nhsp/contactus.html>).

To make a report to DCYF about the potential abuse or neglect of a minor please follow guidelines:

Call 800-894-5533 (in state only), or 603-271-6562 (out of state). Both numbers are staffed 24 hours a day, including weekends and holidays.

VI. STATEMENT OF RIGHTS

It is the goal of Franklin Pierce University to ensure that students have access to needed resources, services and information.

Normally, the University assures all students the following:

- To be treated with respect by University officials.

- To decide to take action against the respondent. This decision shall rest solely with the complainant. There may be circumstances, however, depending on the status of the respondent and the seriousness of the offense, in which the University must take action to protect the complainant or other members of the University community.
- To be notified in writing of available spiritual and personal counseling, mental health, medical or student services, complainant advocates, both on campus and in the community, as well as information about evidence collection.
- To receive notification in writing of options for and available assistance in changing academic, transportation and living situations after an alleged incident of sexual misconduct, if so requested and if such changes are reasonably available (no charges or investigation, campus or criminal, need occur before this option is available).
- To be notified in writing of option to notify law enforcement, and be provided assistance by campus authorities in notifying law enforcement if you choose.
- To be notified in writing of your right to request a no-contact order.
- To be notified in writing of your option to report the incident to the University.
- To have an advisor present at any meeting (i.e., meeting, interview, or conduct hearing).
- To be informed of the outcome and sanction of any disciplinary hearing involving sexual misconduct in writing (complainant and respondent will be notified simultaneously).
- To not have irrelevant prior sexual history admitted in conduct hearing.
- To elect not to have reports of sexual misconduct resolved through the informal resolution.

- To be free from any behavior that may be construed by the University to be intimidating, harassing or retaliatory in nature.
- To have reports of sexual misconduct responded to in accordance with community standards and conduct procedures for students.
- To have the same rights as the respondent in the conduct hearing, including but not limited to, the right to an advisor from within or external to the University community and the right to bring witnesses.
- To appeal the finding and sanction of the conduct hearing in accordance with the standards for appeal established in the Student Code of Conduct. For more information see Article IV in the Student Code of Conduct.

VII. REPORTING PROCEDURES

A. Reporting an Incident of Sexual Misconduct

1. If you have a complaint of a sexual misconduct at Franklin Pierce, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The Franklin Pierce Campus Safety Department strongly advocates that a complainant of sexual misconduct report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. Sexual misconduct should be reported directly to a Campus Safety officer and/or to a Residential Life representative. Filing a report with a Campus Safety officer will not obligate the complainant to move forward with an investigation, nor will it subject the complainant to scrutiny or judgmental opinions from officers.
2. Filing a Campus Safety report will:

- ensure that a complainant of sexual misconduct receives the necessary medical treatment and tests, at no expense to the student;
 - provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a complainant of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
 - assure the complainant has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
3. When a sexual misconduct complainant contacts the Campus Safety Department, the Rindge Police will be notified only at the request of the complainant. A representative from the Office of Residential Life will be notified. The complainant of sexual misconduct may choose for the investigation to be pursued through the criminal justice system and/or/neither the University Conduct System. A University representative from the Campus Safety Department or the Office of Residential Life will guide the student through the available options, provide written notification of such options, and support the student in their decision. Various counseling options are available from the University through the Student Health Center, the Counseling and Outreach Center, Counseling and support services outside the University system can be obtained through the Monadnock Center for Violence Prevention at 1-888-511-6287.

The University reserves the right to pursue investigations and conduct hearing in cases of sexual misconduct even when the reporting party chooses not to continue in the process.

B. Discipline Procedures for Sexual Misconduct

1. The complainant and respondent have the same rights during all phases of the campus conduct process.

2. The complainant has the right to pursue the University conduct process against the respondent student assailant through the Conduct Process, outlined in the Student Code of Conduct.
3. The University commits itself to providing conduct and disciplinary processes that are sensitive, supportive, expedient, fair, impartial, and respectful of the individual rights of all involved.
4. Administrative board hearings and procedures are utilized for incidents involving sexual misconduct. Both the complainant and respondent will receive written notification of hearing date and time.
5. Prior to the hearing the complainant and respondent will receive an investigation packet.
6. Both the complainant and respondent have the right to bring witnesses to the hearing. These witnesses must have first-hand direct knowledge of the situation.
7. During the hearing, the complainant and respondent will be allowed to ask questions of each other. Questions are directed to the board and if the board feels the question is relevant the board will ask the question of the complainant and respondent. Hearings may be conducted in a number of ways to include all parties in the same room at once, two rooms connected via conference call, or in separate rooms with no audio connection.
8. Administrative board members receive annual training on the issues related to sexual misconduct and how to conduct a hearing process that protects the safety of the University community and promotes accountability.
9. Both the complainant and respondent have the right to be accompanied by a support person, from within the University community (i.e., Faculty, Staff or Student) or an external party (i.e., parent, spouse, attorney) through every phase of the process. This support person does not present any testimony at the hearing or during the investigation but is present to support and assist the complainant and respondent. The student must

- advise the hearing officer at least 48 hours in advance of the hearing if an external advisor is going to be present at hearing.
10. Conduct decisions are based on whether it is more likely than not that the respondent student violated the Student Code of Conduct.
 11. Possible sanctions for students resulting from the University's conduct process range from formal reprimands (conduct probation) to separation from the University (suspension and expulsion).
 12. Both the complainant and respondent shall be informed of the outcome of the campus disciplinary process.
 13. Both the complainant and respondent have the right to appeal the decision based on one of three grounds: new evidence not available at time of hearing, undue bias of the hearing board, or excessive/lenient when compared to similar situations with similar conduct history. Appeals must be submitted to the Dean of Student Affairs within 5 days of receipt of the decision. Generally, appeal decisions are made within 14 days of receipt of the appeal.
 14. The University will not require any party to abide by a nondisclosure agreement in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the process.

For additional information on hearing procedures refer to the Student Code of Conduct.

C. Off-Campus Legal Options

In addition to the University's conduct process, the complainant has the right to pursue criminal prosecution and/or civil litigation. The Department of Campus Safety is available to provide assistance and information on criminal prosecution. The University is committed to providing full and prompt cooperation and assistance in notifying the proper law enforcement personnel if the complainant so chooses. The

complainant has the right to pursue all legal and disciplinary remedies and counseling services without academic penalty.

D. Guidelines for Immediate Care

The primary concern of the caregiver is the emotional well-being of the students involved. Circumstances and complainant needs vary greatly. This format is a guide, keeping in mind the needs of the complainant as the primary focus.

- The complainant should notify Campus Safety, Student Affairs (Residence Life), Health Services, Center for Outreach Education or Human Resources of the alleged assault.
- Immediate medical needs will be assessed. If emergency medical assistance is required; the caregiver may do either of the following; Call Dispatch at 899- 4210 to notify the on-duty EMT, or request transportation to the emergency room.
- The caregiver will notify their immediate supervisor of the incident.
- The complainant will be informed of their right to report the incident to the Rindge Police Department. If the complainant wishes, Campus Safety will assist in connecting them to Rindge Police Department.
- The caregiver will provide the following options to the complainant, while respecting their right to choose the type and extent of medical and psychological intervention:
 - Encourage the complainant to seek treatment at an emergency room for presence of sexually transmitted disease and/or pregnancy; evaluate and treat injuries; and collect evidence.
 - The complainant may choose to seek treatment at the Health Center in lieu of the emergency room; however, they will not collect evidence.
 - Encourage the complainant to contact either the Counseling and Outreach Center at 899-4130 or the

Monadnock Center for Violence Prevention at 352-3782.

- The complainant may wish to have no medical or psychological evaluation.
- If the complainant chooses to be treated at the emergency room, they:
 - Should be advised not to smoke, eat or drink anything.
 - Should not shower, douche, brush teeth, rinse mouth or wash any other part of the body.
 - Should bring a change of clothes.
- The complainant should be advised not to wash clothes or bedding that may contain physical evidence.
- If the complainant and the respondent live in the same residence hall or share classes, the complainant will be given the option to relocate to another facility or class when such option is reasonably available, pending campus conduct action. The respondent may also be relocated.
- In cases where the University believes the respondent may present a danger to the complainant or the University community, the respondent may be subject to interim measures including but not limited to, an Interim Suspension from the University.

D. Statistical Reporting

The University will provide statistics of reported sexual assaults, domestic violence, dating violence, and stalking as required and defined by the Campus Security Act and the Student Right-to-Know Act. All personally identifying information will be removed from statistical reports.

E. Education, Counseling Services, and Timely Warnings

Franklin Pierce University Counseling and Outreach Center is a resource for students and provides education on sexual assault, domestic violence, dating violence, sexual harassment and stalking, advocacy services, information and referral, and campus-wide outreach services to complainants. The Counseling and Outreach Center provides information to students about sexual assault reporting options, available resources and assistance for the complainant, and the student's rights. The Counseling and Outreach Center personnel are available to accompany complainants and provide support during hospital or medical exams, contact with law enforcement personnel, and during campus judicial hearings. The Counseling and Outreach Center insures complainant's confidentiality as per New Hampshire and federal laws. All University personnel should refer sexual assault complainant to Counseling and Outreach Center.

In addition to these services, the University educates the student community about sexual misconduct through comprehensive and intentional programming intended to end dating violence, domestic violence, sexual violence and stalking. To assist with this endeavor, all new students are required to participate in sexual misconduct awareness programs during orientation. The Campus Safety and Residential Life Departments offers sexual misconduct education and information programs to University students periodically throughout the year. Literature on date rape education and risk reduction is available through the Office of Health Services and the Counseling and Outreach Center. In addition, the University has ongoing bystander campaigns, such as CARE bystander intervention, to help address sexual misconduct.

When the University, through a report from a University Official, becomes aware of an incident of sexual misconduct that occurred on or around campus, and there is a potential for bodily harm or danger to members of the University community or visitors, the Office of Campus Safety will issue a timely warning to the campus through the University e-mail system. While the University will provide enough information to

safeguard the community, a student's name or other personally identifying information will not be disclosed.

VII. EMERGENCY PHONE NUMBERS

Franklin Pierce will assist complainants who seek support services (i.e., medical, counseling, or complainant assistance) as well as complainants who choose to seek criminal or civil prosecution. The University will not delay its investigation of a complaint if a complainant chooses to file criminal or civil complaint.

- Campus Safety or EMTs: From a campus phone dial 5555. From a cell or other phone dial (603) 899-5555
- Counseling and Outreach Education: From a campus phone dial 4130. From a cell or other phone dial (603) 899-4130
- Health Services: From a campus phone dial 4130. From a cell phone or other phone dial (603) 899-4130
- Rindge Police Emergency: Dial (603) 899-5009, or after business hours at (603) 899-2000
- Monadnock Center for Violence Prevention: Dial (603) 352-3782 or toll free at (888) 511-6287
- Monadnock Community Hospital: Dial (603) 924-7191

SECTION SIX – STUDENT RECORDS AND DISCLOSURE

The Franklin Pierce University Academic Catalog is a general document that provides information regarding policies, procedures, academic programs and related costs. Students are required to read the University Academic Catalog which includes the following information:

- Statement of Student Responsibilities
- Student Records and Disclosure
- Definition of Education Records, School Official and Legitimate Educational Interest
- Directory Information
- Communication with Students and Parents

- Information Requested
- Email and Electronic Signatures

Every effort has been made to assure accuracy at the time of printing. However, Franklin Pierce University, through the appropriate action of its Board of Trustees, the administration and faculty, reserves the right to make changes as educational and financial considerations may require. Any such changes may be implemented without prior notice, without obligation and unless specified, are effective when made. This Catalog should not be construed as constituting a contract between the University and any person. Students are subject to graduation/curriculum requirements in the Catalog which was in effect at the time of their matriculation. Typically, students may elect to fulfill the requirements in any subsequent Catalog, provided they were enrolled at the time the Catalog was published. The University reserves the right to make substitutions for courses which are no longer offered. In either case, the graduation requirements of the Catalog are to be considered in their entirety; students may not fulfill part of their requirements from one Catalog and another part from another Catalog. Administrative, academic and financial policies and requirements may change each year. These policies pertain to all students enrolled in the academic year in which each new Catalog is in effect.

To locate the University Academic Catalog please refer to the following link:

<https://www.franklinpierce.edu/academics/catalog/index.htm>

SECTION SEVEN – GRIEVANCE AND APPEAL PROCEDURE RELATED TO SECTION 504 AND ADA AND NOTICE OF NON-DISCRIMINATION

GRIEVANCE AND APPEAL PROCEDURE RELATED TO SECTION 504 AND ADA

1. 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 (as Amended), 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 Dean of Student Affairs, who is the Coordinator of Compliance for Student Matters (see notice of nondiscrimination), or other persons identified by the Dean of Student Affairs, 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:

2. 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.
3. 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 Coordinator of Compliance for Student Matters can be of assistance in referring the individual to the appropriate person and office. The address and telephone number for the Coordinator of Compliance for Student Matters is listed below, under #4.
4. If not satisfied, the individual should discuss their objection(s) with the senior staff member under whose jurisdiction the department falls. The Coordinator of Compliance for Student Matters can help the individual in identifying who the senior staff member is.

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 Student Disability and Accessibility Services. The request must be filed with the Coordinator of Compliance for Student Matters in the Student Affairs Office, Granite Hall (Telephone: 603 899-4162).

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 four (4) 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 two weeks of the conclusion of the hearing.

NOTICE OF NON-DISCRIMINATION

Franklin Pierce University, in recognition of its obligation under Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), and the Age Discrimination Act (ADEA), has established the following policy on non-discrimination: Franklin Pierce University does not discriminate on the basis of sex (including sexual harassment and sexual violence in accordance with Title IX which requires that the University not discriminate in this manner), race, color, religion, age, disability, national or ethnic origin, sexual orientation, marital status or other legally protected classification in hiring, promotion and terms and conditions of employment and/or administration of educational policies, admissions

policies, scholarship or loan programs, athletic and other University administered programs and activities.

Pursuant to Title IX, the following persons have been designated Compliance Coordinators to handle all inquiries regarding non-discrimination policies (including section 504/ADA):

Mr. Randy Braby

Senior Compliance Coordinator Director of Human Resources

DiGregorio Hall, Second Floor,

(603) 899-4077

brabyr@franklinpierce.edu

Ms. Dawn Broussard

Coordinator of Compliance for Faculty, Staff, and Vendor Matters Associate

Director of Human Resources

DiGregorio Hall, First Floor

(603) 899-4079

broussardd@franklinpierce.edu

Dr. Andrew R. Pollom

Coordinator of Compliance for Student Matters Dean of Student Affairs

Health Services and Counseling and Outreach Office

(603) 899-4162

Polloma@franklinpierce.edu

In addition, for inquiries regarding the application of non-discrimination policies, people may also wish to contact:

United States Equal Employment Opportunity Commission

Boston Area Office

475 JFK federal Bldg.-Government Center Boston, MA 02203-0506

Tel: (617) 565-3200 / Fax: (617) 565-3196

Office for Civil Rights

US Department of Education Boston Office, 8th Floor

5 Post Office Square Boston, MA 02109-3921

Telephone: (617) 289-0111

FAX: (617) 289-0150; TDD: (800) 877-8339

OCR.Boston@ed.gov

PROCESSING OF COMPLAINTS/RESOLUTION

Upon receipt of a complaint of discrimination or other information which causes concern about possible discrimination, the University will promptly look into the situation and conduct an investigation as may be reasonable, and it will seek to address the matter promptly and take appropriate disciplinary and/ or remedial action(s) if warranted. The University will conduct investigations discretely. Franklin Pierce University does not tolerate retaliation against persons who report incidents of discrimination (including sexual harassment or sexual violence, or other unlawful harassment), or against those who participate in investigations of discrimination. Any person who believes that they have been subject of retaliation should report the matter to one of the University's three Compliance Coordinators.

Title VI, VII, IX, ADEA, ADA/504 compliance coordinators shall coordinate University compliance with the above referenced complaints including identifying and addressing any patterns or systemic problems that arise during the review of such complaints. If it is determined that the Compliance Coordinator dealing with a specific case has a conflict of interest or is directly involved in a complaint, then the President of the University shall be called upon to assign another faculty or staff member to act as Interim Compliance Coordinator to handle the complaint.

SECTION EIGHT – STUDENT CODE OF CONDUCT

Dear Franklin Pierce University Student,

You should know that our community thrives when individual members practice responsibility for themselves and respect for one another. At Franklin Pierce University, part of Living the Franklin Pierce Way is practicing good citizenship and personal responsibility. These basic tenants are a part of the foundation that exists in any community that seeks to be successful. It is our belief that every student must recognize that this is an academic community that is dedicated to the free and open examination of ideas in the pursuit of knowledge. It is also a community that values the holistic well-being and personal growth of our members.

The Student Code of Conduct maintains a portion of those values and beliefs. It establishes the expectations that the University has for how our students should conduct themselves. When you read the code, it appears to be a simple list of rules, but I would challenge you to look at the code as a far more instructive document. The Student Code is less about being a list of rules, that you have to follow, and more about providing guidance on how to Live the Franklin Pierce Way in a manner that allows for a greater likelihood of success. The Code provides you guidance on choices and situations you should avoid. Whether or not you use these instructions to navigate your Franklin Pierce experience is a decision you will have to make. Also, outlined very clearly, it makes you aware that as a member of our community, you are held accountable for your choices and your actions. Successfully Living the Franklin Pierce Way means we make choices responsibly and that are reflective of what we value.

Through your admission to Franklin Pierce University, you have been welcomed into a proud Raven family. We are here to serve you and to help you along your collegiate journey. We expect that each of you will make the choice to approach this experience with a genuine interest in learning, an openness to be challenged and to be introduced to new people, ideas, and perspectives; and with a commitment to practicing good citizenship and personal responsibility. In doing so, not only do you

aid your own journey toward greater success, but you also aid those that are around you. It is thru that collective commitment, our willingness to serve, and by practicing good citizenship and personal responsibility that as a community we can Live the Franklin Pierce Way and be successful.

Sincerely,

Andrew R. Pollom, EdD.

Dean of Student Affairs

INTRODUCTION

As a part of its educational mission, the University has developed this Student Code of Conduct. The University believes that its proper role is to offer opportunities for the personal growth of its students. Hence, the Franklin Pierce Community promotes the development of responsible conduct. Students are expected to become familiar with and adhere to the University's standards and policies for student conduct. Furthermore, students are responsible for their actions, and those who violate the Code of Conduct will be subject to disciplinary action.

Membership in the Franklin Pierce Community is a privilege that shall not be abused.

Students accepting the offer of admission and matriculation at Franklin Pierce University assume the obligation of conducting themselves in a manner compatible with the University as an educational institution, and agree to abide by all published regulations governing the student body. Minimal regulations are necessary to ensure respect for basic individual rights. The University acknowledges and respects the right of each student, and does not view itself as a sanctuary from the law.

MISSION STATEMENT

Franklin Pierce University is committed to creating and maintaining a safe and productive learning environment within our community. The Franklin Pierce Student Conduct process exists to promote justice and fairness, by providing students who are accused of violating the Student Code of Conduct, and may face conduct sanctions, with an opportunity to be heard. It is expected that each person will grow to have a greater respect for self, others, and property.

PHILOSOPHY

Franklin Pierce University is committed to creating and maintaining a safe and productive learning community with its students. It is expected that each person will grow to have a greater respect for self, others, and property.

The philosophy of Student Conduct is one of education. Franklin Pierce University has developed a “judicial” or conduct system, which will assist students as lifelong learners. This will facilitate the students’ cognitive and social development. Our goal is to help students grow and learn from their mistakes, rather than imposing arbitrary punishment.

As a part of its educational mission, the University has developed a Student Code of Conduct. The University believes that its proper role is to offer opportunities for the personal growth of its students. Students are expected to become familiar with, and adhere to, the University’s standards and policies for student conduct. Furthermore, students are responsible for their actions, and those who violate the Code of Conduct will be subject to disciplinary action.

A developmental student conduct program is built to discover teachable moments in all conduct cases (from documentation through the hearing). The teachable moment is the point at which the student displays an interest in, or an ability to understand key developmental challenges. This is when a student sees the source of their behavior, or can be motivated to change the source of the behavior.

ARTICLE I: DEFINITIONS

1. The term "University" means Franklin Pierce University.
2. The term "student" includes all persons taking courses at the University, both full-time and part-time. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered students.
3. The term "faculty member" means any person hired by the University to conduct classroom activities.
4. The term "University official" and "University employee" includes any person employed by the University performing assigned administrative or professional responsibilities.
5. The term "member of the University community" includes any person who is a student, faculty member, staff member, or University official. A person's status in a particular situation shall be determined by the Student Affairs Office.
6. The term "University premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, including adjacent streets and sidewalks.
7. The terms "conduct body" and "hearing officer(s)" means any person or persons authorized by this document or by the Dean of Student Affairs to determine whether a student has violated the Student Code of Conduct and to recommend or to assign imposition of sanctions.
8. The term "organization" means any number of persons who have complied with formal requirements for recognition by the University.
9. The term "appellate authority" means any person or persons authorized by this document or by the Dean of Student Affairs to consider an appeal resulting from a conduct body's determination that a student has violated the Student Code of Conduct or from the sanctions imposed by that body.
10. The term "shall" is used in the imperative sense.

11. The term "may" is used in the permissive sense.
12. The term "policy" is defined as the written regulations of the University as found in, but not limited to this document, the Student Handbook and the University Catalog.
13. The term "advisor" is defined as a member of the University community (faculty, staff or student) selected by a respondent for support at any conduct hearing. The role of the advisor is limited to direct support to the student; as it is the responsibility of the student to present their own testimony, evidence, etc. The advisor may not address the hearing officer(s) directly or on behalf of the student unless requested by the hearing officer(s) to do so, or, upon request of the respondent, the hearing officer grants such request upon good cause shown.
14. The student may not bring as an advisor a faculty, staff or student who is also a family member. If the hearing officer deems that a conflict of interest exists with the advisor, the hearing officer, at their sole discretion, may disqualify the advisor. As such, all advisors must be approved by the hearing officer in advance. There is an exception that relates to cases that involve "Sexual Misconduct." External advisors are allowable under certain circumstances. (See Article IV., C. Hearing Procedures, 1., e. for exceptions related to cases involving Sexual Misconduct).
15. The term "sanction" is defined as the action/outcome issued by a conduct body as a result of a student being found responsible for violating a university policy. Such action may be educational and/or punitive in nature.
16. The term "complainant" refers to an individual or body bringing forth a complaint.
17. The term "respondent" refers to a student who stands accused of a violation of the code.
18. The term "public areas" includes residence hall lounges, hallways, stairwells, stoops, parking lots, courtyards, etc.).

ARTICLE II: CONDUCT AUTHORITY

1. The Dean of Student Affairs is the person designated by the University President to be responsible for the oversight and administration of the Franklin Pierce University Student Code of Conduct, to include determination of definition of all policies and statements within the Code.
2. The Assistant Dean of Student Affairs and Retention (for the remainder of the document referred to as the Assistant Dean of Student Affairs), as coordinator of Student Conduct and Community Standards, shall ensure the composition of conduct bodies and appellate authorities in accordance with this document and established university policies. The Assistant Dean of Student Affairs shall determine whether or not charges are brought against a student, which conduct body or appellate authority shall be authorized to hear each case, and shall work in cooperation with the advisor for the Student Conduct Board to provide appropriate training and orientation for successful accomplishment of the Conduct Board's responsibilities.
3. The Dean of Student Affairs shall develop policies for the administration of the conduct system and procedural rules for the conduct of hearings, which are consistent with provisions of this document and established university policies.
4. The University is responsible for the investigation of all possible violators of this code. Investigations will typically be investigated by either Campus Safety or members of the Division of Student Affairs Department of Residential Life, or other staff member deemed appropriate by the Assistant Dean of Student Affairs.
5. Decisions made by a conduct body shall be final, pending the established appeal and review process.
6. A conduct body may be designated as arbiter of disputes within the student community in cases which do not involve a violation of the Student Code. All parties must agree to arbitration, and agree to be bound by the arbitrated decision.

7. Violations of the University's Honor Code/Academic Catalog and Student Code of Conduct relating to academic integrity are referred to an Academic Dean. In cases involving academic integrity and other Student Code of Conduct violations, the Assistant Dean of Student Affairs and an Academic Dean, will determine whether the case will be handled under the Student Code of Conduct, through academic procedures, or jointly.

ARTICLE III: PROSCRIBED CONDUCT

A. JURISDICTION OF THE UNIVERSITY

Generally, university jurisdiction and discipline shall be limited to conduct which occurs on university premises or at university-sponsored events off university premises, or which adversely affects the university community and/or the pursuit of its objectives.

Off-Campus Study

Students who participate in any university or university-affiliated program off Campus (included but not limited to Academic, Athletic, or Social) are subject to student conduct regulations described in this Code of Conduct, in addition to any laws governing the country where they are studying. Authority for the code may be delegated by the Dean of Student Affairs. In addition, students attending foreign universities are also subject to the conduct regulations of that university.

B. CONDUCT - RULES AND REGULATIONS

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV., F. (Violations below are not ranked in any specific order).

1. Acts of dishonesty, including but not limited to, the following:
 - a. Cheating, plagiarism, or other forms of academic dishonesty.
(See Academic Catalogue: "Plagiarism or Other Forms of

Cheating”).

- b. Furnishing false information to or withholding pertinent information to, or withholding pertinent information from the University or any official, faculty member or office (ie. failing to produce University identification to a University official, not communicating updates to any university record).
 - c. Forgery, alteration, or misuse of any University document, record, or instrument of identification.
 - d. Tampering with the election process of any University-recognized student organization.
2. Physical abuse to include any physical act which is abusive, intimidates, threatens or endangers the physical health or safety of any person.
 3. Sexual Misconduct includes all forms of sexual harassment, sexual violence, and sexual discrimination, domestic violence, dating violence, and stalking.
 - a. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with an individual’s performance in the classroom, and creates an intimidating, hostile, or offensive environment in which to live and learn.
 - b. Sexual violence includes non-consensual (definition of consent is below) sexual intercourse, non-consensual sexual contact and sexual exploitation.
 - i. Non-consensual sexual intercourse includes, but is not limited to, penetration of bodily orifice (vagina, anus, or mouth) by an object or body part, or attempts to commit the same, without effective consent.
 - ii. Non-consensual sexual contact includes, but is not limited to, physical contact or direct physical contact of the clothing covering a body part in a sexual nature (i.e., touching breast, buttocks, or pubic area) of anyone

without their effective consent. In addition, any disrobing or other exposure to another without effective consent also constitutes non-consensual sexual contact.

- iii. Sexual exploitation occurs when one person takes advantage of another without their consent (examples might include: non-consensual video, photography, audio-taping, or other mediums such as the Internet; peeping or voyeurism).
 - c. Sexual/Gender Discrimination includes any behavior that is discriminatory or abusive due to a person's gender or gender expression
 - d. Domestic/Dating Violence includes asserted violent misdemeanor and felony offenses committed by the victim's current and/or former partner, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under the domestic or family law, or by a person who has been/or is currently in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type and frequency of interaction.
 - e. Stalking means a course of conduct directed at a specific person that would cause a reasonable person to fear for their, or for others' safety, or to suffer emotional distress.
4. Acts which endanger the safety, welfare or well-being of any person(s).
 5. Verbal and other forms of non-physical abuse to include profanity, intimidation, harassment or other conduct which is abusive (e.g., bullying), threatens, intimidates, or endangers the health or safety of any person.
 6. Disorderly Conduct or Disruptive Behavior(s) which is lewd, indecent, a breach of peace, or negatively impacts the community. This is to include, but not be limited to, obstruction or disruption of teaching, research, study, residential living, administration, conduct

proceedings, other university programs and activities or other authorized non-university activity on university premises.

7. Alcohol Policy and Regulations

- a. Underage possession or use of alcoholic beverages is prohibited. By state law, no one under 21 years of age is permitted to consume, purchase, transport, or possess any alcoholic beverage. The University does not condone violation of criminal law, including underage drinking. All matters relating to alcohol on university premises, or at university-sponsored events, are governed by laws of the State of New Hampshire. As members of the general public in this state, students are charged with full knowledge of these laws.
- b. Open containers of alcohol are prohibited in public areas unless authorized for a university event
- c. Intoxication as exhibited by impaired behavior or excess consumption that could cause personal injury is prohibited and will subject the student to disciplinary action. This may include driving under the influence.
- d. 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, or punch bowls.
- e. Drinking contests/games and potentially dangerous actions such as, but not limited to, the use of "funnels," drinking contests/games, "keg stands," "beer pong tables," etc. Devices for this purpose will be confiscated by the University. [See Student Handbook confiscated items]
- f. Providing, distributing or selling alcohol to a person under the age of 21 or a person impaired by alcohol is prohibited.
- g. Glass beer bottles are prohibited on the University campus, except at University sponsored, catered events.
- h. Full and/or empty alcohol containers (i.e., cans and boxes, wine

bottles and boxes, and spirit bottles) cannot be displayed in the residence halls where they are reasonably visible from the exterior of the building (e.g., through windows or exterior doors when they are open). Such displays are not permitted in any area within Granite, Mount Washington, New Hampshire, Cheshire, Monadnock or Edgewood. The rationale for this policy is the concern about what perception these decorations create about student behavior (SGA, 2014-15 Session).

8. A. Use, possession, sale or distribution of narcotics or other controlled substances, except as expressly permitted by law (e.g. prescription drugs), is forbidden.
B. Drug related devices are prohibited on university premises; in addition to being university policy, this is in accordance with state law.
9. Theft, attempted theft, or possession of property belonging to the University (e.g., removal of lounge furniture to a student's room), a member of the university or external community, or a campus guest is a violation.
10. Illegal entry, or any attempt to illegally enter a student's room or other unauthorized location by a student or student's guest, without the permission of one or more residents of the room or approved personnel.
11. Vandalism, damage to, or attempted damage to property belonging to the University, a member of the university community, or a campus guest, is violation.
12. Misuse, abuse, or tampering of fire safety equipment, including the activation of false alarms, the misuse of emergency exits, the wrongful discharge or removal of fire extinguishers, or tampering with alarm systems, sprinkler systems, and smoke alarms constitutes a serious violation. Such violations endanger the life safety of the community. Further, students are required to evacuate any building when a fire alarm is sounding. Students may be fined for activation of an alarm system as established by the town ordinance (see Article IV, Section F, number 3).

13. Weapons. Any instruments/devices that are designed or may be used as a weapon to injure or threaten another individual. 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, paintball guns, box cutters, Tasers, swords, bow and arrow, martial arts weapons, brass knuckles, including non-culinary knives with a blade greater than three (3) inches, sling shots, pellets, bullets, 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.
14. Failure to comply with the directions of a University official in the performance of their duties or failure to identify oneself to a University official by producing a Franklin Pierce student identification card or a valid guest pass, when requested to do so.
15. Abuse of the Conduct System. This policy shall include, but not be limited to:
 - a. Failure to obey the summons of a conduct body or university official;
 - b. Falsification, distortion, or misrepresentation of information before a conduct body;
 - c. Disruption or interference with the orderly conduct of a conduct proceeding;
 - d. Falsification of report(ing)
 - e. Attempting to discourage, hinder or present an individual's proper participation in, or use of, the conduct system;
 - f. Harassment (verbal or physical) and/or intimidation of a member of a conduct body or witness prior to, during, and/or after a conduct proceeding;
 - g. Failure to comply fully with the sanction(s) imposed by a conduct body under the Student Code; and or
 - h. Influencing or attempting to influence the integrity and/or the

impartiality of a member of a conduct body or witness prior to, and/or during the course of the conduct proceedings.

16. Motor vehicle regulations, as published by the Department of Campus Safety.
17. Littering, or failure to dispose of trash and other discarded materials in the proper receptacles.
18. Violation of published University policies, rules, or regulations. Included in this policy, but not limited to are all regulations published by Residential Life or any department within Student Affairs (e.g., Student Involvement) such as, quiet hours, registration of guests, residence halls closing, and all regulations contained within University Catalogue all other University publications.
19. Violation of any federal, state or local law.
20. Participating in, leading or inciting others to participate in an on-campus or off-campus demonstration, riot or activity that disrupts the operations of the University and/or infringes the rights of members of the University community.
21. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
22. Disorderly, lewd, or indecent conduct; breaches of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by the University, participated in by the University, or by members of the University community.
23. Unauthorized, unsanctioned, or inappropriate use of the University's technological equipment or services (i.e. computers, services, telephones, voicemail, etc.). This policy includes, but is not limited to:
 - a. Unauthorized entry into a file, to use, read, or change, the contents, or for any other purpose;
 - b. Unauthorized transfer of a file;
 - c. Unauthorized use of another individual's identification, access code, security code, or password;

- d. Use of computing and voice mail facilities to interfere with the work of another student, faculty member or university official;
 - e. Use of computing and voice mail facilities to interfere with normal operation of the University computing system; and or
 - f. Use of the telecommunications and computing system to harass (including obscene and/or abusive messages), intimidate, or threaten another individual.
 - g. Use of technology to record (audio, visual, or other), without consent; RSA § 570-A:2: The recording of oral or electronic communications between parties who were under a reasonable expectation of privacy without the consent of all involved is a felony offense.
 - h. Use of technology to share negative and/or hostile information of another person or of the University;
 - i. Violation of any rules outlined in the Student Computer Use Policy.
 - j. Disorderly conduct with use of the Raven Nation App. This includes, but is not limited to posting inappropriate information or behaviors.
24. Actions of a student's guest(s) which violate any university policy are the responsibility of the host student. Therefore, if a student's guest(s) violates university policy, the guest(s) may be required to leave university premises or may be banned from university premises.
25. Presence, actively or passively, on-line or in person, supporting another individual to violate any University policy is a violation.
26. Retaliation, on-line, in person, or by 3rd party, which includes any act which would intimidate, threaten, coerce or in any way discriminate against an individual because of their complaint or their participation in the conduct process, is a violation.
27. Hazing, which is defined as any act (occurring on or off campus) that is likely to be perceived by a reasonable person as: Physically, emotionally or psychologically humiliating or abusive or that endangers the health or safety of an individual or select group of

individuals as part of the process of gaining entrance or acceptance into an established group, team or organization, is a violation.

28. Smoking/Vaping is prohibited in all residence halls and university buildings, as well as within 25 feet of any dwelling egress or window.

C. VIOLATION OF LAW AND UNIVERSITY RESPONSES

1. If a student is found guilty of violating federal, state, or local law, this may constitute a violation.
2. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also the subject of a proceeding before a conduct body under the Student Code, however, the University may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the university community.
3. If a student is the victim of any crime, the student is encouraged to report it to law enforcement officials. Campus Safety can assist the student in contacting the local law enforcement agency. In matters of Title IX crimes, please review the policy for confidential reporting parties.

ARTICLE IV: CONDUCT SYSTEM AND PROCESS

THE CONDUCT PROCESS

1. Any member of the university community may file a complaint against any student for misconduct. Complaints should be prepared in writing and directed to the Assistant Dean of Student Affairs. Any complaint should be submitted as soon as possible after the incident related to the complaint(s). The Assistant Dean of Student Affairs may ask either staff from within either Residential Life or Campus Safety (or another University staff member deemed appropriate by the Assistant Dean of Student Affairs) to investigate the complaint.

2. The Assistant Dean of Student Affairs shall determine if charges should be initiated and which hearing body to hear and decide the case.
3. If a student withdraws from the University, during the time of a pending conduct matter, the conduct sanction may override the withdraw status. A student may not escape conduct or financial responsibilities through the withdrawal or leave of absence process. Students must receive permission to withdraw or exercise a leave through the Assistant Dean or their designee.

THE CONDUCT SYSTEM

There are several conduct bodies within the University's conduct system. The first body is the Experience Director (or Graduate Assistant), the second body is the Coordinator of Student Conduct and Community Standards along with the Assistant Director of Residential Life, the third is the Director of Residential Life, the fourth body is the Assistant Dean of Student Affairs, and; the fifth body is Hearing Boards.

In certain cases, the Assistant Dean of Student Affairs may opt to refer cases to one of two types of hearing boards, either a Student Conduct Board (SCB) or an Administrative Hearing Board (AHB).

SCB is comprised of students who go through an application, interview and training process. The Student Conduct Board hears cases referred by the Assistant Dean of Student Affairs, and advises the Coordinator of Student Conduct and Community Standards as to whether or not the respondent violated the Student Code and recommends a sanction(s) when appropriate. The Student Conduct Board is advisory in nature, and final decisions are the responsibility of the Assistant Dean of Student Affairs.

AHB meets at the request of the Assistant Dean of Student Affairs. Individual members of the Board or other members of the community may be requested to assist another conduct body in an administrative

hearing. Any individual participates as a hearing board member obtains training, provided by the Assistant Dean of Student Affairs.

At any time, however, the Assistant Dean of Student Affairs may choose at their discretion to hear any case in place of another conduct body. The Assistant Dean of Student Affairs may invite other members of the community to assist in hearing the case.

Conduct hearings are to take the form of an educational dialogue with the involved student(s). The only record maintained in conduct board hearings will be electronic case reports, statements, investigation reports and the decision of the conduct body.

At the discretion of the Assistant Dean of Student Affairs, the Department of Campus Safety or the Office of Residential Life will assist with the conduct system. This includes, but not limited to, the filing of complaints, the investigation of complaints and the presentation of cases to a conduct body. Charges may only be filed by the appropriate conduct body, as determined by the Assistant Dean of Student Affairs.

HEARING PROCEDURES

Conduct Hearings *(includes cases heard by an individual conduct officer)*

1. The respondent shall receive a letter of alleged violations (charge letter) electronically from the appropriate conduct body requesting a meeting for a hearing by a specified date to discuss the alleged incident. Such a meeting date being at least two (2) days after the date of the letter and not more than fourteen (14) days. It is the responsibility of every student to check their university e-mail account on a daily basis to receive hearing information, as well as other important university communications. The software system that Student Conduct utilizes is Maxient and students are required to check those

communications.

2. Each student is expected to attend the hearing. If the student fails to meet with the conduct body by the date specified, the conduct body shall decide the matter, to include disciplinary sanction, without the benefit of the respondent's input.
3. An administrative hearing is normally conducted as an educational dialogue between the conduct body and the respondent, and is done for the purpose of learning from the situation, as well as upholding community standards. Administrative hearings are conducted in private.
4. The only witnesses permitted to present testimony at the hearing will be those persons with direct (not second-hand or hearsay) knowledge about the events or matters under consideration by the hearing body. Witnesses must be approved by the conduct body. Both the respondent and complainant have the right to bring witnesses. Decisions regarding who is present-beyond the respondent, complainant, advisors, and approved witnesses will be at the complete discretion of the conduct body.
5. A respondent, complainant or witness may have an advisor of their choosing from within the university community present at the hearing. The advisor may be selected from faculty, staff, and students. The advisor shall not participate directly in any aspect of the hearing; the advisor may only address the student they are advising. It is the student's responsibility to present all aspects of their own defense (Also see Article I, Definitions, #13). In cases that relate to Sexual Misconduct, and only in these cases, both the complainant and the respondent are permitted to have advisors from outside the University community (i.e., parents, attorney, etc.). However, the hearing officer must be advised of this at least 48 hours before the time of the hearing, and the advisor must abide by the same rules as outlined above for other advisors (e.g., advisors may not participate directly in any aspect of the hearing). If the advisor does not meet these expectations, they may be required to leave the hearing.

6. Accommodations for a conduct hearing must be requested of the Coordinator of Student Accessibility Services at least 24 hours prior to the date of the hearing. Visit the University Catalog or following website for more information <http://franklinpierce.edu/academics/cae/disability.htm>
7. The conduct body's decision shall be made on the basis of whether it is more likely than not that the respondent violated the Student Code.
8. To protect privacy rights, physical and digital copies of reports and statements are not provided to anyone but the hearing officers. Specific and relevant details contained within the report will be shared verbally at the time of the hearing. In cases that relate to Sexual Misconduct, and only in these cases, both the complainant and the respondent are permitted to access to the investigation packet.
9. The only record which shall be made of an administrative hearing is the written decision of the conduct body, which will be sent electronically to the student (and simultaneously to the person filing the complaint in cases involving sexual misconduct) and maintained in the student's personal file in the Office of Student Affairs. In addition to the conduct decision, an electronic copy of the incident report and any evidence gathered through the investigation will be maintained, but is not a part of the student's file. The software system that Student Conduct utilizes is Maxient and students are required to check those communications.

AHB Board Hearings (*includes cases heard more than one conduct officer*)

1. The respondent shall receive a letter of alleged violations (charge letter) electronically from the appropriate conduct body requesting a meeting for a hearing by a specified date to discuss the alleged incident. Such a meeting date being at least two (2) days after the date of the letter and not more than fourteen (14) days. It is the responsibility of every student to check their

university e-mail account on a daily basis to receive hearing information, as well as other important university communications. The software system that Student Conduct utilizes is Maxient and students are required to check those communications.

2. Each student is expected to attend the hearing. If the student fails to meet with the conduct body by the date specified, the conduct body shall decide the matter, to include disciplinary sanction, without the benefit of the respondent's input.
3. An administrative hearing is normally conducted as an educational dialogue between the conduct body and the respondent, and is done for the purpose of learning from the situation, as well as upholding community standards. Administrative hearings are conducted in private.
4. The only witnesses permitted to present testimony at the hearing will be those persons with direct (not second-hand or hearsay) knowledge about the events or matters under consideration by the hearing body. Witnesses must be approved by the conduct body. Both the respondent and complainant have the right to bring witnesses. Decisions regarding who is present-beyond the respondent, complainant, advisors, and approved witnesses will be at the complete discretion of the conduct body.
5. A respondent, complainant or witness may have an advisor of their choosing from within the university community present at the hearing. The advisor may be selected from faculty, staff, and students. The advisor shall not participate directly in any aspect of the hearing; the advisor may only address the student they are advising. It is the student's responsibility to present all aspects of their own defense (Also see Article I, Definitions, #13). In cases that relate to Sexual Misconduct, and only in these cases, both the complainant and the respondent are permitted to have advisors from outside the University community (i.e., parents, attorney, etc.). However, the hearing officer must be advised of this at least 48 hours before the time of the hearing, and the

advisor must abide by the same rules as outlined above for other advisors (e.g., advisors may not participate directly in any aspect of the hearing). If the advisor does not meet these expectations, they may be required to leave the hearing.

6. Accommodations for a conduct hearing must be requested of the Coordinator of Student Accessibility Services at least 24 hours prior to the date of the hearing. Visit the University Catalog or following website for more information <http://franklinpierce.edu/academics/cae/disability.htm>
7. The conduct body's decision shall be made on the basis of whether it is more likely than not that the respondent violated the Student Code.
8. To protect privacy rights, physical and digital copies of reports and statements are not provided to anyone but the hearing officers. Specific and relevant details contained within the report will be shared verbally at the time of the hearing. In cases that relate to Sexual Misconduct, and only in these cases, both the complainant and the respondent are permitted to access to the investigation packet.
9. The only record which shall be made of an administrative hearing is the written decision of the conduct body, which will be sent electronically to the student (and simultaneously to the person filing the complaint in cases involving sexual misconduct) and maintained in the student's personal file in the Office of Student Affairs. In addition to the conduct decision, an electronic copy of the incident report and any evidence gathered through the investigation will be maintained, but is not a part of the student's file. The software system that Student Conduct utilizes is Maxient and students are required to check those communications.

SCB Hearings (*includes cases heard by peers*)

1. The respondent shall receive a letter from the Coordinator of Student Conduct and Community Standards stating the alleged

violation(s) of the Student Code. Included in the letter shall be the date, time, and place of the hearing. The software system that Student Conduct utilizes is Maxient and students are required to check those communications.

2. The respondent is strongly encouraged to meet with the Coordinator of Student Conduct and Community Standards prior to the hearing to review hearing procedures, to review the student's basic rights at the hearing, to inform the Coordinator of any witnesses the student expects to have present, to indicate any evidence they plan to present, and the name of the advisor who will be present for the student.
3. Student Conduct hearings are conducted in private, with only the participants and advisor(s) being present. Admission of any other person to the hearing shall be the decision of the chairperson of the Board.
4. In hearings involving more than one respondent, the Coordinator of Student Conduct and Community Standards, at their discretion, may permit hearings to be conducted together or separately.
5. Pertinent records, exhibits and written statements may be accepted as evidence for consideration at the hearing provided such information was previously disclosed to and is contained within the Safety incident report; and the Chairperson of the Board determines the information is relevant.
6. All procedural questions related to the hearing are subject to the final decision of the chairperson.
7. The only witnesses permitted to present testimony to the Board will be those persons with direct (not second-hand or hearsay) knowledge about the events or matters under consideration by the Board. Both the respondent and the complainant have the right to bring witnesses. All witnesses must be approved in advance of the Hearing by the Coordinator of Student Conduct and Community Standards.
8. The Board hearings follow prescribed procedures and the Board

is advised by a faculty or staff member, who is appointed by the Assistant Dean of Student Affairs and serves as a non-voting member of the Board. The advisor to the Student Conduct Board may, at their discretion, advise the respondent and/or the respondent's advisor, as to procedural matters during the hearing.

9. A respondent or complainant may have an advisor of their choosing from within the university community present at the hearing. The advisor may be selected from faculty, staff, and students. The advisor shall not participate directly in any aspect of the hearing; the advisor may only address the respondent. It is the student's responsibility to present all aspects of their own defense.
10. Accommodations for a conduct hearing must be requested of the Coordinator of Student Accessibility Services at least 24 hours prior to the date of the hearing. Visit the University Catalog or following website for more information <https://www.franklinpierce.edu/academics/cae/disability.htm>
11. The Board's decision shall be on the basis of whether it is more likely than not that the respondent violated the Student Code. The Board's decision and appropriate sanction will be recommended to the Coordinator of Student Conduct and Community Standards or their designee.
12. To protect privacy rights, physical and digital copies of reports and statements are not provided to anyone but the hearing officers. Specific and relevant details contained within the report will be shared verbally at the time of the hearing.
13. The only record which shall be made of a Student Conduct hearing is the written decision of the outcome, which will be sent electronically to the student and maintained in the student's personal file in the Office of Student Affairs. In addition to the conduct decision, an electronic copy of the incident report and any evidence gathered through the investigation will be maintained, but is not a part of the student's file. The software

system that Student Conduct utilizes is Maxient and students are required to check those communications.

INTERIM SUSPENSION

Interim Suspension may be imposed only:

1. to ensure the safety and well-being of members of the university community or preservation of university property;
2. to ensure the student's own physical or emotional safety and well-being; or
3. if the student's presence is viewed as either dangerous to persons or property, or disruptive to normal campus functions or to members of the university community.
4. During the Interim Suspension, a student is denied access to the residence halls and/or to university premises and/or all other university activities or privileges for which the student might otherwise be eligible, as the Dean of Student Affairs or their designee may determine to be appropriate. Typically, a student will be allowed to continue academic coursework electronically, but this is permitted at the discretion of the faculty member.
5. Any student placed on Interim Suspension must communicate with the Assistant Dean of Student Affairs, or their designee, on the next business day to discuss how the case will proceed.
6. The student may return to campus at the appointed time for the conduct hearing or at such time that the Dean of Student Affairs or their designee determines is appropriate. The student must be escorted by Campus Safety during this time.

NO-CONTACT ORDERS

The purpose of a no-contact order is to protect all parties involved in an alleged incident. The no-contact order is not punitive. The no-contact order prohibits any contact or communication between all parties involved; either directly or through a third party in any form (e.g., all

social media, text, phone or any other form of communication).

1. The no-contact order is an administrative order issued by the University and is not a conduct sanction. As such, no-contact orders cannot be appealed.
2. A no-contact order can be issued upon request by any campus community member and is determined to be in the best interest of the parties involved and/or the campus community by any Campus Safety or Residential Life/Student Conduct staff member.
3. Upon receiving a no-contact order it is the responsibility of the student(s) to report any classes/co-curricular activities in which they may have contact with other parties involved. It is the student's responsibility to work with the Faculty/Staff member to determine the necessary course of action to avoid additional violations/conflict. Restrictions to spaces on campus may be included on the No Contact Order.
4. Every non-Title IX no-contact order will expire on August 1 of the academic year it was issued, unless otherwise specified by the Assistant Dean of Student Affairs. The students involved can request through Student Conduct or Campus Safety a new no-contact order, at the beginning of the new academic year. The no-contact order can also be re-issued if deemed necessary by any staff member of Residential Life or Campus Safety. In cases that relate to Title IX/Sexual Misconduct, no-contact orders will not expire unless requested by the complainant.
5. No Contact Orders are issued electronically through the Maxient software system.

SANCTIONS

Determination of an appropriate sanction shall be based upon the seriousness of the violation and the student's previous disciplinary record. Students are expected to learn sufficiently from the disciplinary process so as not to have repeated violations of the Student Code.

Should a student repeatedly violate other sections of the Student Code, the minimum sanction imposed would be at least as severe as the previous sanction.

1. With the exception of University Expulsion, disciplinary sanctions shall not be recorded on the student's permanent academic transcript, but shall become part of the student's electronic record maintained in the conduct management system in the Office of Student Conduct and Community Standards.
2. More than one sanction listed below may be imposed for any single violation. The following sanctions may be imposed upon a student who has violated the Student Code:
3. Written Warning consists of formal notification that the student has violated the Student Code and advises that repetition will result in a more severe sanction. A written record of the warning is made.
4. Educational Sanction is usually imposed in conjunction with another sanction. Educational sanctions may include, but are not limited to, evaluation/counseling, change in residence hall, participation in an educational program, writing a research paper, a supervised work project, etc. The educational sanction must be completed within the manner and time stated as part of the sanction. Participation in certain programs may be withheld or restricted until educational sanctions are completed (e.g. participation in room selection).
5. Restitution is full payment for the cost of damage(s), as determined by the University, of materials and labor for repair or replacement of damaged, destroyed, or stolen university property.
6. Fines may be assessed by the University for certain actions such as (but not limited to) false activation of a fire alarm.
7. Conduct Probation is a serious reprimand for a violation of a specific university policy. The loss of specified privileges may also be involved. Conduct Probation is for a specified period of time,

and more severe disciplinary sanction(s) will be imposed should the student further violate any university policy.

8. Ban from a space on campus separates a student from the space they are restricted from for a certain time period.
9. Residence Hall Suspension separates a student from the residence halls for a specified period of time, or until specified conditions are met. A student suspended from the residence halls may continue to attend classes and utilize the University's dining hall. However, the student shall not enter, nor be in the immediate vicinity of, any residence hall; this includes lawn areas, sidewalks, parking lots near the residence halls, etc.
10. Residence Hall Expulsion is a permanent separation of the student from the residence halls. A student expelled from the residence halls shall also lose all future visitation privileges and utilization of the University's dining hall; the rationale for this is that a student permanently separated from the residence halls and group activities shall also lose the privilege of gathering in the dining hall with other students. The student may not enter, nor be in the immediate vicinity of any residence halls.
11. Suspension from Non-Academic Activities is a separation of the student from all nonacademic activities and functions (e.g. visitation to the residence halls, student activities and programs, sport events, intramural/recreation programs, recreation facilities, athletics, etc.) for a specified period of time.
12. Expulsion from Non-Academic Activities is a permanent separation of the student from all nonacademic activities and functions (e.g. visitation to the residence halls, student activities and programs, sport events, intramural/recreation programs, recreation facilities, athletics, etc.).
13. University Suspension is a separation of the student from the University and all university premises, for a specified period of time and/or until certain predetermined conditions are met. Readmission after university suspension is not automatic and must have the approval of the Assistant Dean of Student Affairs.

14. University Expulsion is the permanent separation of the student from the University, and all university premises. The expulsion will be noted on the student's academic transcript as follows "Expelled per Student Code of Conduct," and the effective date of the expulsion will be noted. This notation will be a permanent part of the student's academic transcript.
15. Individuals who receive University Suspension or University Expulsion will be banned from returning to any university premise or participating in any University events. If an individual is found on or within any university property they will be subject to arrest for criminal trespass. If a suspended student does not apply for or is not granted readmission, the stipulations of the University Suspension will stay in place permanently (e.g., ban).

THE APPEAL PROCESS

A student found responsible may appeal a decision of any level of the conduct system within five (5) business days of written notification of the decision. A person(s) bringing the complaint or accusation does not have the opportunity for appeal, except in cases involving sexual misconduct. The decision of any appellate authority is final.

The Appeal Authority

1. Appeals presented from cases heard by an Experience Director/ Graduate Assistant are directed to the Director of Residential Life.
2. Appeals presented from cases heard by the Assistant Director of Residential Life are directed to the Director of Residential Life.
3. Appeals presented from cases heard by the Coordinator of Student Conduct and Community Standards or Student Conduct Board are directed to the Assistant Dean of Student Affairs.
4. Appeals presented from cases heard by the Director of Residential Life are directed to Assistant Dean of Student Affairs.
5. Appeals presented from cases heard by the Assistant Dean of

Student Affairs or Administrative Hearing Board are directed to the Dean of Student Affairs

Grounds for Appeal

One or more of the following grounds for appeal must be present; these are the only grounds upon which a conduct decision may be appealed:

1. There is significant new information relevant to the case which was not available at the time of the original hearing.
2. There is evidence that the person(s) or Board that held the original hearing was unduly biased in deciding the matter.
3. The sanction imposed was excessive or lenient when compared with previous sanctions for similar violations under similar circumstances for students with similar disciplinary records.

Process for Appeals

The appeal must be submitted electronically utilizing the appeal link in the outcome letter and must identify the specific ground(s) for appeal.

1. The Appellate Authority shall determine what evidence, documentation, etc. is necessary to consider the appeal. The Appellate Authority will not normally meet with the student presenting the appeal; thus, the written appeal should be thorough and complete.
2. If sufficient grounds for appeal are evident, the Appellate Authority will take action on the appeal. Choices of action are to sustain, decrease, increase, modify, or void the sanction. When circumstances warrant, as determined by the Appellate Authority, the case may be referred back to the original level of conduct system for review of the case (e.g. where new evidence exists, which was not available at the time of the original hearing) they may choose to have the case reheard (e.g. the original conduct body was unduly biased). Whenever a case is referred back to the original conduct body, the original sanction, unless modified or vacated by the Appellate Authority, will remain in full force and effect, pending such further review or

rehearing. The outcome of the new hearing, whether by the original body or a new one, becomes the final decision on the case.

3. If sufficient grounds for appeal are not evident, the Appellate Authority will identify this to be the case, and the appeal will not be heard; the original sanction will stand.

The outcome of the appeal will be delivered electronically to the student (in cases of sexual misconduct, the appellate decision will be delivered to both parties involved) and maintained in the student's personal file in the Office of Student Affairs. Sanctions are in effect immediacy, unless appealed.

NOTICE TO OTHERS

Parents or guardians will be informed in any instance of their student being sanctioned with Conduct Probation or a more severe sanction. A student's academic advisor and/or coach through the Department of Athletics will also be informed in any instance of a student being investigated, the notification of alleged violations and the student being sanctioned. In cases of sexual misconduct, the hearing officer will determine if the student's academic advisor and/or coach have a legitimate educational need to know. Administrators/staff determined to have a legitimate educational need to know will also be notified.

REVIEW BY PRESIDENT OF THE UNIVERSITY

The University President reserves the right to review all decisions related to student conduct affairs and may sustain, decrease, increase, modify, or void the sanction.



FranklinPierce
UNIVERSITY