



St. Edward's University Student Handbook
2018-2019

Letter of Welcome

Dear Hilltoppers,

Welcome to another exciting year on the Hilltop! We are thrilled you are joining us as either a new student or as a returning student for another year. Thank you for spending time to look through the 2018-2019 Student Handbook.

The Student Handbook introduces you to the policies that will help you understand community expectations and your rights as a student. Our community expectations are built on the Holy Cross Values of Integrity, Community, Social Justice, Respect and Responsibility and we strive to create an environment for intellectual and personal growth.

The Code of Student Conduct guides the student discipline and grievance processes and each student is expected to be fully acquainted with all published policies, rules, and regulations of the university. Students will be held responsible for compliance with all university policies and federal, state, and local laws.

Please do not hesitate to contact the Dean of Students Office if you have any questions or concerns. We look forward to assisting you in completing your goals and wish you the best for the coming year.

In Holy Cross,

Steven Pinkenburg
Dean of Students
Title IX Deputy Coordinator

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CODE OF STUDENT CONDUCT

ARTICLE 1: GENERAL PROVISIONS

Section 1: Purpose

At St. Edward's University, learning and engaging in meaningful, respectful dialogue create a vibrant campus culture. The actions and choices of every student at St. Edward's can strengthen and enrich our community. The Code of Student Conduct explains the university's expectations for student behavior and provides policies to guide students in making positive contributions to campus life. Students are encouraged to review the code and contact the Dean of Students Office at 512-448-8408 with questions.

St. Edward's University has a clear responsibility in the area of student conduct to protect and promote the pursuit of the university's mission. Students are expected to obey federal, state and local laws and must abide by the rules, regulations and policies of the university. The Dean of Students Office administers the student conduct process, and any reference to the dean of students in this publication refers to the dean of students or his/her designee.

Section 2: Philosophy

The St. Edward's University community is committed to fostering a campus environment that is conducive to academic inquiry, productive campus life, and thoughtful study and discourse. A community exists on the basis of shared values and principles. At St. Edward's University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Code of Student Conduct. These standards are embodied within a set of core values that include integrity, social justice, respect, community and responsibility. When members of the community fail to exemplify these values, campus conduct proceedings are used to assert and uphold the Code of Student Conduct.

The role of educational discipline is foremost in the process of sanctioning. The student conduct process at St. Edward's University is not intended primarily to punish students. Rather, it exists to protect the interests of the community, and to challenge those whose behavior is not in accordance with university policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with community expectations. When a student is unable to conform his/her behavior to community expectations, the student conduct process may determine that he/she should no longer share in the privilege of participating in this community.

Section 3: Commitment to Diversity:

A Statement on Harassment, Discrimination, and Community Standards

St. Edward's University is a community with members from diverse cultural backgrounds including: ethnicity, race, national origin, religious affiliation, gender, sexual orientation, age, disability and socioeconomic status. All members of this community must strive to understand the individuality and uniqueness of those around us and to value those differences, as well as learn from one another in an atmosphere of positive encouragement and mutual respect.

St. Edward's does not condone any form of conduct that goes beyond the legally defined boundaries of discrimination. We will not tolerate verbal or written abuse, threats, intimidation, violence or other forms of harassment against any member of the St. Edward's community.

St. Edward's will not accept ignorance, humor, anger or substance abuse as an excuse, reason or rationale for harassment. St. Edward's believes we are individually and collectively responsible for our behavior and should be held accountable for our actions. Individuals who choose not to support this commitment through acts of intolerance will be subject to corrective action and may jeopardize their continued affiliation with the university. All hearing officers receive annual training regarding investigations, documentation, adjudication, deliberation, the appeal process; as well as issues related to dating violence, domestic violence, sexual assault, sexual harassment, stalking, protecting the safety of victims and promoting accountability.

Any student who believes he/she has been a victim of harassment or discrimination in class or in another campus setting should bring this matter to the dean of students (512-448-8408), the assistant vice president of human resources (512-448-8540) or other appropriate administrators. Any official other than the dean of students who receives a complaint should notify the dean of students to make certain that follow-up action is coordinated.

The confidentiality of all parties will be respected to the greatest extent possible.

Students are strongly encouraged to report the incident(s) and take advantage of the university support services available to them through the Health & Counseling Center (512-448-8538 or 512-448-8686), Campus Ministry (512-448-8499) and the University Police Department (512-448-8444).

Section 4: Student Rights and Responsibilities

In accordance with the university's mission statement, St. Edward's strives to create an environment where freely chosen beliefs can be deepened and expressed. Freedom of expression and inquiry are essential elements of the university community. The responsibility to promote and respect conditions conducive to the freedom to learn is shared by all members of the St. Edward's community. In order to encourage the continuing growth of a free and cooperative community dedicated to learning, St. Edward's puts forward this expression of rights and responsibilities. The protection of freedom to learn is a trust shared by all members of the St. Edward's community. Students must exercise their freedom with responsibility.

Students have the right to freedom from discrimination and harassment on the basis of sex, race, age, religion, veteran status, ethnicity, national origin, disability, sexual orientation, gender identity and socioeconomic status. St. Edward's University considers freedom of inquiry and discussion essential to a student's holistic (spiritual, intellectual, personal, physical, vocational and social) development. Thus, the university recognizes the right of all students to engage in discussion, to exchange thoughts and opinions, and to speak respectfully on subject matters appropriate to the mission.

Students have the right to a fundamentally fair, impartial and prompt process in campus conduct proceedings. Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct proceedings are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Fair process, within these procedures, assures written notice and a hearing before an objective decision-maker as described within these procedures. No student will be found in violation of university policy

without a determination that it is more likely than not that a policy violation occurred, and any sanction will be proportionate to the severity of the violation.

In campus hearings, legal concepts such as guilt and innocence are not applicable, but rest assured that St. Edward's University will never assume a student is in violation of university policy. Students, as members of the university community, have the responsibility to participate in any student conduct investigations and proceedings and to testify as witnesses upon reasonable notice.

Students have the opportunity to participate in the formulation of policy directly affecting students through membership on appropriate committees as determined by the Student Government Association and other recognized groups within the university.

Student conduct records are educational records and are thereby subject to the Family Educational Rights and Privacy Act (FERPA). Please see <https://www.stedwards.edu/registrar/rules-regulations> for more information on FERPA. Under certain circumstances, the university may reserve the right to contact the parent/guardian consistent with FERPA if it is deemed necessary for the wellbeing of the student and/or the university community.

Retaliation against an individual for alleging harassment or discrimination, supporting a complaint, or assisting in providing information relevant to a claim of harassment or discrimination is a serious violation of university policy and will be treated as an instance of harassment or discrimination. Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Acts of alleged retaliation should be reported immediately to the dean of students and will be promptly investigated. St. Edward's University will take all appropriate actions to protect individuals who fear that they may be subjected to retaliation.

Student conduct cases will be decided on the standard of a preponderance of the evidence. In other words, the determination shall be made on the basis of whether it is more likely than not that the referred student violated the Code of Student Conduct.

Section 5: Jurisdiction Over Student Conduct

Students at St. Edward's University are directed to an online copy of the Code of Student Conduct at <https://www.stedwards.edu/campus-services/office-dean-students/student-conduct>.

Students are charged with the responsibility of reading and agreeing to abide by the provisions of the Code of Student Conduct and the authority of the student conduct process. The Code of Student Conduct and the student conduct process apply to the conduct of individual students. A separate conduct process for university-affiliated student organizations is maintained by the Office of Student Life, and such complaints should be directed to the director of student life in The Robert and Pearle Ragsdale Center, Room 304 (individual student complaints may be referred from the director of student life to the Dean of Students Office). In any such action, determinations may also be made as to the responsibility of individual group members. More information regarding student organizations may be found in the Student Organization Manual or by contacting the Office of Student Life. (The Student Organization Manual can be obtained through the Office of Student Life at 512-448-8422.)

Because the Code of Student Conduct is based on shared values, it sets a range of expectations for St. Edward's University students regardless of where or when their conduct may take place. Therefore, the Code of Student Conduct will apply to behavior that takes place on the campus or at university-

sponsored events both on and off campus. In addition, St. Edward's University may elect to apply the Code of Student Conduct to the off-campus conduct of students when the administration determines that the off-campus conduct affects a substantial university interest. A substantial university interest exists with respect to:

1. Any action that constitutes criminal offense as defined by federal or state law. This includes, but is not limited to, single or repeated violations of any local, state or federal law committed in the municipality where the university is located.
2. Any situation where it appears that the accused individual may present a danger or threat to the health and safety of himself/herself or others;
3. Any situation that significantly impinges on the rights, property or achievements of self or others, or significantly breaches the peace and/or causes social disorder; and/or
4. Any situation that is detrimental to the educational interests of the university.

The Code of Student Conduct may be applied to conduct that takes place during the time a person is enrolled as a student, including during intrasemester breaks and between semesters. A person will be considered a student of St. Edward's University from the time he/she attends orientation through graduation or official university withdrawal. If a person does not attend orientation, he/she will be considered a student upon registration for his/her first course through graduation or official university withdrawal. Once a student graduates or is withdrawn, the university retains the right to investigate violations of the Code of Student Conduct and take actions in the interests of the university, but the procedures under the Code of Student Conduct will not be applicable. Records that relate to the conduct of a student prior to graduation or official university withdrawal will be maintained as a part of the former student's educational records.

Further, the Code of Student Conduct applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. Visitors and guests may initiate grievances for violations of the Code of Student Conduct committed by members of the St. Edward's University community against them. There is no time limit on reporting violations, however, the longer someone waits to report an offense, the harder it may become for the university to obtain reliable information and witness statements, and to make a determination regarding alleged violations. Those aware of misconduct are encouraged to report it as quickly as possible to the Dean of Students Office (Main Building 108, 512-448-8408) and/or the University Police Department (512-448-8444).

This Code of Student Conduct takes precedence over any other school-specific or program-specific code of conduct or behavioral expectations which may be applicable to St. Edward's University students.

General Laws

Students or student organizations involved in alleged violations of any federal, state or local laws may be subject to disciplinary action. These alleged violations will be adjudicated using the standard of proof and the procedure under the Code of Student Conduct. Disciplinary action imposed by the university may precede and/or be in addition to any penalty imposed by an off-campus authority. Should a student withdraw from the university when criminal charges are made, it is the typical practice of the university to pursue investigation and resolution of student conduct matters, regardless of the fact that the student has withdrawn.

Special Provisions

1. University as Complainant – St. Edward's University may initiate a complaint, serve as complainant and initiate student conduct proceedings without a formal complaint by the victim of misconduct or if a reporting party elects not to serve as complainant. If there is a reporting party of the conduct in question, the reporting party may serve as the complainant, or may elect to have the administration serve as complainant. Where there is no reporting party, the university will serve as complainant.
2. False Reports – St. Edward's University will not tolerate intentional false reporting of incidents. It is a violation of the Code of Student Conduct to make an intentionally false report of any policy violation.
3. Immunity for Victims – The St. Edward's University community encourages the good faith reporting of conduct code violations and crimes by victims. Victims may be hesitant to report to university officials for fear they may be accused of policy violations, such as underage drinking at the time of the incident. Since it is in the best interest of the community that victims report conduct-code violations and crimes, the university's policy is to offer victims immunity from sanctions for policy violations related to the incident. The university will provide educational options rather than sanctions in these situations.
4. Good Samaritan – The welfare of students in the community is of paramount importance. At times, students on and off campus may need assistance. The university encourages students to offer help and assistance to others in need. Sometimes students are hesitant to offer assistance to others for fear they may get themselves in trouble (for example, an underage student who has been drinking might hesitate to help take someone who has experienced sexual violence to the university police). St. Edward's University pursues a policy of limited immunity for students who offer help to others in need. While policy violations cannot be overlooked, the university will provide educational options rather than sanctions to those who offer their assistance to others in need. If the student claiming Good Samaritan status does not complete the education that is assigned, the original complaint may proceed without the protection of the Good Samaritan policy.
5. Medical Amnesty Policy – This policy may apply when a student actively seeks and receives emergency medical assistance that is related to the use or consumption of legal or illegal substances. The student may not be charged or sanctioned for violations of the Code of Student Conduct relating to the use or consumption of substances. The student will be required to consult with the dean of students and may be required to participate in an appropriate educational program.
6. Parental Communication – St. Edward's University reserves the right to communicate with parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The university may also notify parents/guardians of non-dependent students who are under the age of 21. St. Edward's University may contact parents/guardians to inform them of situations in which there is a health and/or safety risk. The university also reserves the right to designate which campus officials have a need to know about individual conduct records pursuant to FERPA. Notification of Outcomes – The outcome of a campus hearing is part of the educational record of the respondent and is protected from release under FERPA. However, certain legal exceptions to confidentiality exist under FERPA. The reporting party of incidents subject to Title IX have an absolute right to be informed in writing of the outcome of the hearing and the sanctions of any decisions rendered due to their complaint, without condition or limitation.
7. Defenses – It has become common for students accused of policy violations to try to defend their actions with excuses, such as prescription drug interactions, intoxication, self-defense, disabilities, etc. The university's policy on defenses is clear. Defending your actions is

admitting to a policy violation. For example, “Yes, we fought, but he started it” still means you were in a fight, which is a violation of university rules. You may have taken someone’s property under the influence of alcohol, but you still took someone else’s property. While your defense will not excuse your actions, St. Edward’s University will take the legitimacy of your offense into consideration in addressing the proper sanction. If you were not the aggressor in a fight, you will still be sanctioned, but your sanction may be less than the sanction of the person who started the fight.

8. **Misconduct Online** – Students are cautioned that behavior conducted online, such as harassment delivered by email, can subject them to university conduct action. Students must also be aware that blogs, web pages, social media forums such as Facebook, Twitter, Instagram and similar online postings are in the public sphere and may not be private. These postings may subject students to allegations of conduct violations if evidence of policy violations are posted online. The university does not regularly seek to discover online information, but may take action if and when such information is brought to the attention of university officials.

Special Provisions for Cases Involving Sexual Violence or Gender-Based Discrimination (Title IX)

1. Determinations of responsibility and potential sanctions will be made by the dean of students.
2. If a conflict of interest exists for the dean of students to make a determination, the case will be referred to the director of student life to make determinations of responsibilities and potential sanctions.
3. **Advisor/Advocate** – All student parties to Title IX complaints have the right to one advisor and one advocate to assist and support in connection with student conduct proceedings.
4. **Right to Present Own Complaint or Use Proxy** – Reporting parties have the right to present their own complaint or to ask the university to stand as complainant in their place.
5. **Right to Know Outcome and Sanctions** – The alleged victim has the right to know the outcome and sanctions of the hearing. Next of kin will be informed if the alleged victim is deceased.
6. **Right to Be Informed of Appeal** – All parties will be informed by the Dean of Students Office if any of the parties to the complaint request an appeal of the determination or the sanctions.
7. **Right to Equity** – All parties will be treated equitably during this process.
8. All reasonable attempts will be made for cases to be adjudicated and for the decision and sanctions to be delivered within 60 days following the date the complaint is received by the Dean of Students Office.

Section 6: Student Conduct Records Policy

The Dean of Students Office maintains a digital record of a student’s conduct history. The conduct record is confidential and is only shared internally with university officials in instances where the student grants permission to release the record, or there is what FERPA defines as “a legitimate educational need to know” basis for the sharing of the information.

The conduct record is maintained throughout the student’s enrollment and thereafter as indicated below. The file or summary of the file is only to be released to a person or party external to the university if the student has granted written permission, where the disclosure of the record is permissible under the provisions of FERPA, or where the university is required to do so by law.

Retention of Conduct Records

1. The conduct file of a student's entire conduct history is kept for a minimum of seven (7) years after the student's final semester.
2. The conduct file of a student will be kept indefinitely if the student is found responsible for a violation of sexual violence/gender based discrimination or if the student is sanctioned with suspension, expulsion or withholding of degree.

University's Right to Amend Code of Student Conduct

The provisions of the Code of Student Conduct do not constitute a contract between the university and the student or any member of the university community. St. Edward's University reserves the right to change any provision of the Code of Student Conduct, at any time, at its sole discretion.

ARTICLE 2: EXPECTATIONS FOR STUDENT CONDUCT

Section 1: Student Expectations

These rules apply to all students; undergraduate, professional and graduate. Any student found to have committed misconduct is subject to the sanctions outlined below. Unacceptable conduct includes, but is not limited to, violations of the following principles and policies.

Section 2: Integrity

St. Edward's University students exemplify honesty, integrity and a respect for truth in all of their dealings. Behavior that demonstrates a lapse of integrity includes, but is not limited to, the following:

1. Knowingly possessing or using false, falsified or forged information in any medium to any member of the university community, such as falsification or misuse of documents, accounts, records, identification or financial instruments;
2. Unauthorized possession, duplication or use of means of access (keys, cards, etc.) to any university building; and/or
3. Action or inaction by you or with someone in collusion with a wrongdoer that fails to discourage a known and obvious violation of university policy or law.

Section 3: Community

St. Edward's University students honor and value their community. Behavior that violates this value includes, but is not limited to, the following:

1. Misuse of access privileges to university premises or unauthorized entry to or use of buildings, including trespassing;
2. Misuse or unauthorized use of university or organizational names and images;
3. Taking possession of university property, stolen property or personal property of a member of the university community that is unauthorized and intentional;
4. Unauthorized destruction or damage to university property or to the property of another;
5. Disruption of university operations, including obstruction of teaching, research, administration, other university activities or other authorized non-university activities that occur on campus;
6. Violations of technology policies as outlined in the Information and Technology Responsible Use Policy (<https://www.stedwards.edu/information-technology/information-technology-teams>). Violations of technology policies also include misuse of university computing facilities, services, equipment, networks, passwords, accounts or information. Students who connect to the

campus network will be held responsible for any violation of university policy that originates from their connection.

7. Gambling in violation of state or federal laws;
8. Violations of the university's policies prohibiting weapons or firearms on university premises as set forth in the University Firearms Policy;
9. The ignition or detonation of anything which could cause damage to persons or property or disruption by fire, smoke, explosion, noxious odors, stain, corrosion or similar means is prohibited. Possession of anything in the nature of fireworks, explosives or chemical explosives is prohibited on any property owned or operated by the university or off campus university-sponsored events without prior university authorization.
10. Violation of state, local or campus fire policies, including the following:
 - a. failure to evacuate a university-owned building during a fire alarm;
 - b. improper use of university fire safety equipment;
 - c. tampering with or improperly engaging a fire alarm in a university building; and/or
 - d. intentionally or recklessly causing a fire that damages university or personal property or causes injury to any member of the community.
11. Violations of traffic and parking regulations as outlined in the Traffic and Parking Regulations (<https://www.stedwards.edu/campus-services/campus-safety>);
12. Violations of other university policies listed in the Student Handbook, outside of academic policies and procedures;
13. Violations of residence hall and apartment regulations outlined in the Residence Life Guide to On-Campus Living (<http://think.stedwards.edu/residencelife/guide-campus-living>). These residence policies apply to anyone in the residence community including visitors. HYPERLINK "<http://think.stedwards.edu/residencelife>"
14. Animals such as dogs, cats or others may not be brought into or kept in St. Edward's University buildings except as permitted by the university animal policy (<http://think.stedwards.edu/deanofstudents/studenthandbook/animalpolicy>).

Section 4: Social Justice

St. Edward's University students hold social justice, equality, and respect for differences and diversity as values central to the Holy Cross legacy. Behavior that violates this value includes, but is not limited to, the following:

1. Conduct that knowingly or unreasonably creates or attempts to create an intimidating, intolerant, discriminatory, hostile or offensive environment for another person is prohibited. Such conduct includes, but is not limited to, action(s) or statement(s) that threaten, harm or intimidate a person; stalking or voyeurism (or peeping); or any other form of unwanted contact.
2. Malicious, callous or reckless disregard for the welfare of another person;
3. Obstruction of freedom of movement by community members or visitors;
4. The knowing failure of any organized group to exercise preventive measures by the group's members relative to violations of this Code of Student Conduct;
5. Abuse of the campus conduct system, including the following:
 - a. abuse, interference or failure to comply in university processes including investigations and conduct hearings;
 - b. failure to attend meetings scheduled for conduct code administration purposes;
 - c. falsification, distortion or misrepresentation of information;
 - d. failure to provide, destroying or hiding information during an investigation of an alleged policy violation;
 - e. attempting to discourage an individual's proper participation in or use of the campus conduct system;

- f. harassment (verbal or physical) and intimidation of a member of a campus conduct body prior to, during and after a campus conduct proceeding;
- g. failure to comply with sanctions imposed by the campus conduct system; and/or
- h. influencing or attempting to influence another person to commit an abuse of the campus conduct system.

Section 5: Respect

St. Edward's University students show respect for each other, for property and for the community. Behavior that violates this value includes, but is not limited to, the following:

1. Harm to Person
 - a. threatening or acting in other ways which create conditions that pose a risk of physical harm to another, or which cause reasonable apprehension of physical harm; and/or
 - b. causing physical harm to oneself or another person.
2. Hazing (<http://think.stedwards.edu/deanofstudents/studenthandbook/hazingpolicy>);
3. Violence between those in an intimate relationship;
4. Stalking, defined as pursuing in a repetitive and menacing way, following, harassing or interfering with the peace or safety of a member of the community or the safety of any of the immediate family of members of the community;
5. Sexual Misconduct, including the following: (<https://www.stedwards.edu/campus-services/office-dean-students/student-conduct>)
 - a. Sexual Harassment;
 - b. Nonconsensual Sexual Contact;
 - c. Nonconsensual Sexual Intercourse; and/or
 - d. Sexual Exploitation.
6. Failure to comply with the directions of university officials or law enforcement officers during the performance of their duties, or failure to identify oneself to them when requested to do so;
7. Any form of smoking (including e-cigarettes) inside any campus building, including residence halls and apartments. Smoking is permitted in public courtyards and other outdoor areas as long as the smoker is at least 15 feet from any building.

Section 6: Responsibility

St. Edward's University students are given and accept a high level of responsibility as role models. Behavior that violates this value includes, but is not limited to, the following:

1. Use, possession or distribution of alcohol except as expressly permitted by law and the university's alcohol policy. This includes possession/consumption by those under the age of 21, providing alcohol to those under the age of 21, being in the presence of alcohol and under the age of 21, possession of a common source container (empty or full) unless it is part of an approved event, driving under the influence, and public intoxication by persons of any age (<https://www.stedwards.edu/campus-services/office-dean-students/student-conduct>).
2. Use, possession, or distribution of narcotics, synthetic drugs or other controlled substances, as well as drug paraphernalia, except as expressly permitted by law (<https://www.stedwards.edu/campus-services/office-dean-students/student-conduct>);
3. Abuse, misuse, sharing, or distributing of prescriptions or over-the-counter medications;
4. Assisting in the violation of university policies or public laws shall be considered as if the violation had been completed by the assisting party.

5. Violations of federal, state or local laws that affect the interests of the university community, whether such violations occur on campus or off campus;
6. Violation of other published university policies, rules or policies
(<https://www.stedwards.edu/campus-services/office-dean-students/student-conduct>);
7. The failure by a student to report his/her arrest by any law enforcement agency to the dean of students within 72 hours of his/her release. With respect to a student who is eligible to return to the university without reapplying for admission, the failure to report his/her arrest by any law enforcement agency which occurs while he/she was not enrolled at St. Edward's University, at least four weeks prior to re-enrollment. Students who have been arrested may be subject to disciplinary action when their conduct violates university standards.

ARTICLE 3: CONDUCT PROCEDURES

Section 1: Administration

These procedures provide for the orderly administration of the Code of Student Conduct.

Section 2: Conduct Complaints

St. Edward's University community members, including students, faculty, staff, guests and visitors, may file a conduct concern against a student alleging a violation of the Code of Student Conduct. University conduct concern forms are available online at https://cm.maxient.com/reportingform.php?StEdwardsUniv&layout_id=1. The university may institute an investigation or proceeding based on information it receives even if it is not filed as a formal student conduct complaint.

Section 3: Authority

The dean of students has authority over student conduct issues.

Section 4: Investigation

When the dean of students receives information that a student has allegedly violated one or more university policies, the dean of students will investigate the alleged violation(s).

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

When it is determined that there is reasonable cause to believe a policy or policies have been violated, the dean of students may elect to attempt an informal resolution. All notices for complaints referred for informal resolution will be delivered orally, via email, or to a permanent address. The parties and relevant witnesses will be interviewed. If the allegations can be disposed of by mutual consent of the parties on a basis acceptable to the parties involved and the dean of students, such disposition will be final and there will be no subsequent proceedings. With respect to violations involving sexual violence or gender-based discrimination, an informal resolution further requires the approval of the reporting

party(s) of the sexual violence or gender-based discrimination. If an informal resolution is not successful, the complaint will proceed through an administrative hearing.

Section 5: Hearings and Resolution

Upon receipt of an incident report, police report or written complaint from the complainant, the dean of students will review the report and initiate the following procedures:

A. Informal Hearings

1. All notice for complaints referred for an informal hearing will be delivered orally, via e-mail, or to a permanent address to schedule an appointment for an informal hearing to discuss the alleged violation of the Code of Student Conduct.
2. During the informal hearing, the student will be given an opportunity to review the information describing the alleged violation and respond to the allegations. Before a determination is made, this is an opportunity for the student to present their perspective of the incident and provide additional information or evidence. Information considered by the hearing officer may consist of signed statements, oral testimony, written documentation and physical artifacts.
3. If after the informal hearing with the student the hearing officer believes disciplinary action is warranted, sanctions may be applied. The hearing officer will inform the student of the sanctions in writing.
4. If after the informal hearing, the student disagrees with the hearing officer's determination or the sanctions provided, the student may initiate the appeals process pursuant to Article III, Section 7 of the Code of Student Conduct. The student may appeal the hearing officer's decision or sanctions without penalty.

B. Student Conduct Boards

In cases delegated to the Student Conduct Boards for alleged violations of the Code of Student Conduct, the following procedures will be initiated:

1. A staff member will notify the referred student within a minimum of seven calendar days prior to the hearing unless the student waives this right or extenuating circumstances preclude this possibility. Such notice to the student shall include, in writing, the following:
 - a. A brief description of the action that is an alleged violation and the student regulation allegedly violated.
 - b. The time, date, and location of the hearing.
2. The hearing shall be considered closed. All statements, information, or comments given during hearings shall be held in the strictest confidence by Student Conduct Board members in keeping with the Family Rights and Privacy Act (FERPA).
3. A recording shall be maintained by the Dean of Students Office for appeal purposes. Recordings will be erased after time for appeals has elapsed. All Student Conduct Boards decisions will be transmitted by the Chief Justice to the Dean of Students for approval.
4. On behalf of the University, DOS staff will contact and request the presence of witnesses deemed necessary to appear. University students and employees contacted by DOS are required to attend hearings unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal University activities. Referred students are

responsible for contacting and requesting witnesses to attend the hearing on their behalf and witnesses serving as character references are limited to three people.

5. The referred student shall have the opportunity to present and examine statements, facts, and any relevant information regarding the case. The referred student shall have the privilege of presenting any questions of witnesses to the Student Conduct Board when appropriate.
6. After all the information has been presented, the Student Judicial Board members will go into closed session to determine whether the student has violated each section of the Code of Student Conduct which the student is charged with violating.
7. The determination shall be made on the basis of whether it is more likely than not that the referred student violated the Code of Student Conduct.
8. The Student Conduct Boards will render the decision to the student as soon as the decision has been made.

B. Administrative Hearings

Notice and Pre-Hearing Procedures

1. Once a determination is made that reasonable cause exists for an administrative hearing, notice will be given simultaneously to the reporting and responding parties. Notice will be in writing, and may be delivered in person during a meeting with the dean of students or via email to the student's St. Edward's University email account or to a permanent address. This notice is presumptively delivered whether or not the student actively uses this account.
 - a. The letter of notice will state briefly a description of the alleged incident, as well as all policies the respondent is alleged to have violated and the possible consequences if the respondent is found in violation. Student Rights and Responsibilities will be included in the notice.
 - b. The letter of notice will direct the respondent to contact the associate dean of students/director of student conduct within the time frame designated in the letter to respond to the complaint, provided that the timeframe for responding may be extended by the associate dean of students/director of student conduct if classes are not in session at the time of the notice.
 - c. If a meeting has not already taken place, a meeting with the associate dean of students/director of student conduct can be arranged to explain the nature of the complaint and the conduct process.
 - d. Where the respondent admits to violation(s) of the Code of Student Conduct, the associate dean of student may invoke the process for an informal hearing under Article III, Section 5(A) to determine and administer an appropriate sanction without a formal hearing.
 - e. Where the respondent denies the violation, the formal hearing procedures in Section 5(B) will be followed.
2. Where a student denies violation(s) of the Code of Student Conduct, the associate dean of students/director of student conduct will schedule an investigative meeting. If a student fails to respond to notice from the dean of students or refuses to respond to questions, the investigation will proceed on the basis of the information reasonably available to the Dean of Students Office at the time.

3. Once an investigation is complete, he/she will be given a minimum of seven (7) calendar days to prepare for a hearing. Before any scheduled hearing, the following will occur:
 - a. Written notice of the time, date, and location of the hearing will be sent to all parties St. Edward's email addresses. Additional notice may also be sent in person, by telephone, or in writing. When sent to the email address, notice will be presumed delivered the following class day.
 - b. Should either party object to the dean of students as the designated hearing officer, they must raise all objections in writing to the associate dean of students/director of student conduct five (5) days prior to the hearing. The dean of students will only be unseated if the vice president for student affairs concludes that likelihood of bias precludes an impartial hearing of the complaint, at which point the case will be heard by the director of student life. Additionally, any hearing officer who feels they cannot make an objective determination must recuse themselves from the proceedings.
 - c. The parties may deliver to the Dean of Students Office a written response to the complaint.
 - d. The reporting party will deliver to the Dean of Students Office all information for consideration in a hearing five (5) days before a scheduled hearing.
 - e. The responding party will deliver to the Dean of Students Office all information for consideration in a hearing five (5) days before a scheduled hearing.
 - f. The past sexual history or sexual character of a party or witness will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request prior to the hearing, and must be reviewed in advance of the hearing by the associate dean of students/director of student conduct. Such information will be admissible only in the rare circumstance where it is determined by the associate dean of students/director of student conduct that exclusion of such information would reasonably be expected to result in a fundamentally unfair determination. An individual identified as a witness in a case may not serve as an advisor or advocate for the reporting or responding party.
 - g. The parties may elect to be counseled by one advisor during the hearing. The advisor will not be allowed to participate in the hearing process other than to advise the student. If the student elects to have an attorney at the hearing, the attorney will serve as an advisor. The decision to have an attorney present at the hearing may affect the date of the hearing to accommodate the university's option to obtain counsel. The parties will notify the associate dean of students/director of student conduct, at least 5 days prior to the hearing, of the names of any advisors/advocates who may be accompanying the parties at the hearing.
 - h. The associate dean of students/director of student conduct will ensure that any information that will be presented to the dean of students is shared between the reporting and responding party at least 48 hours before any scheduled hearing.
 - i. Hearings shall be closed to the public and university community.

C. Determination

After a hearing, the hearing officer will consider all of the information presented and determine whether it is more likely than not that the student has violated the Code of Student Conduct as alleged in the notice provided to the responding party.

If the hearing officer determines that a policy violation is likely to have taken place, the hearing officer will determine an appropriate sanction. All relevant previous conduct violations will be considered when

determining sanctions. The hearing officer will prepare a written report with a short explanation of the findings and the determined sanctions. The hearing officer will simultaneously notify, in writing, both the reporting party, where applicable, and responding party of the result of any student conduct proceedings, procedures to appeal the decisions of the student conduct proceedings within seven (7) calendar days after the hearing. Subsequently the parties will be informed in writing simultaneously of any changes to the original decisions and when the results will be final. Conduct decisions and sanctions implemented will be considered final, except where an appeal is provided under these procedures.

While previous conduct violations by the responding party are not generally admissible as information about the present alleged violation, the associate dean of students/director of student conduct may supply previous complaint information to the hearing officer, or may consider it while hearing the complaint, only in these situations:

1. The responding party was previously found to be responsible.
2. The previous incident was substantially similar to the present allegation.
3. Information indicates a pattern of behavior and substantial conformity with that pattern by the responding party.

Conduct decisions and sanctions implemented will be considered final, except where an appeal is provided under these procedures.

Hearings will be audio-recorded by the university. Students or associated advisors/advocates may not make recordings throughout the process. The dean of students may substitute summary notes in lieu of a recording as necessary. Recordings may be reviewed in, but not removed from, the Dean of Students Office by the parties in preparation for any appeal.

D. Hearing Procedures

A hearing proceeds as follows:

1. The hearing officer meets separately with the reporting party, any witnesses and the responding party. The hearing officer advises all participants of the expectation for full and truthful testimony.
2. The hearing officer advises the responding party of the alleged violations and potential sanctions from the dean of students.
3. A complete admission requires no further procedure other than to offer the student the opportunity to present, at that time, any evidence of character or scholarship with bearing on the extent of the sanctions to be determined. The sanctions will then be determined by the hearing officer.
4. All questions are directed through the hearing officer. Neither the reporting party nor the responding party has a right to ask questions directly of any witness.
5. Generally, the order proceeds as follows:
 - a. Presentation of case – associate dean of students/director of student conduct
 - b. Opportunity for the hearing officer to speak with the reporting party
 - c. Opportunity for the hearing officer to speak with the responding party
 - d. Interview of witnesses as necessary
 - e. Follow up interviews
 - f. Deliberation

Some witness testimony may be given by written statement. If the hearing officer determines they need additional information, the witness may be called on as part of the hearing. Additionally, witnesses are generally identified to the parties, but when a witness desires to remain anonymous, he or she will only

be permitted to remain anonymous if good cause is shown and his/her identity is not essential to ensuring a fair hearing to the parties, as determined by the hearing officer.

E. Information Before the Hearing Officer

The associate dean of students/director of student conduct may present information in their professional discretion that is relevant and necessary in relation to the incident on which the notice of violation and investigation is based. The associate dean of students/director of student conduct will exclude irrelevant, immaterial or unduly repetitious information. The dean of students will rule on all procedural questions that arise. A student's refusal to take part in the investigation will prevent him/her from being able to share new information at the hearing, as determined by the hearing officer.

Information considered by the hearing officer may consist of signed statements, oral testimony, written documentation and physical artifacts.

St. Edward's University will simultaneously notify, in writing both the reporting party and responding party of the result of any student conduct proceedings, procedures to appeal the decisions of the student conduct proceedings, any changes to the original decisions and when the results will be final.

Section 6: Sanctions

St. Edward's University reserves the right, for developmental or other purposes, to address any student behavior for which action is taken by civil authorities and to impose additional sanctions or requirements.

When the university has reasonable cause to separate a student from their community, the university may suspend a student for a reasonable time pending the scheduling of a campus hearing for violation of the code of student conduct. The university will permit a student who receives an interim suspension to request a meeting with the dean of students to show cause why an interim suspension is not merited. Regardless of the outcome of this meeting, the university may still proceed with the university investigation and hearing process. The university may consider implementing other interim restrictions as appropriate under the circumstances. These restrictions may include, but are not limited to:

1. No-contact directive;
2. Restriction of access to some or all of the university campus or facilities;
3. Restrictions of access to university housing; and/or
4. Withholding of diploma.

In addition, the university may introduce counseling and place restrictions on the student if the student's conduct has interfered with the university's exercise of its educational objectives or responsibilities to its community members. Behaviors that place the student or other community members in serious or grave danger may require a consultation and/or evaluation of the student to secure appropriate resources and assistance to decrease risk of harm to the student and other community members.

A student who engages in misconduct is subject to one or more following sanctions:

1. Verbal or written reprimand;
2. Restitution, which may take the form of monetary compensation or appropriate community service to repair or otherwise compensate for damage;
3. Conduct probation for a specified period of time and a review of behavior, including terms appropriate to the violation, during which the student must demonstrate compliance with

university policies and the terms of the probationary period. Further violations may result in additional charges and sanctions.

4. Suspension from the university, during which time students cannot earn or accumulate St. Edward's University credit. During the period of suspension, the student is prohibited from entering the university campus or facilities under control or jurisdiction of the university, or attending university-sponsored events without prior written approval from the dean of students. Conditions to be satisfied during the suspension or as requirements for re-entry may also be specified. If the suspension occurs during the semester, the student will be administratively withdrawn from his/her classes and no credit will be awarded that semester. Incomplete grades will not be allowed.
5. Expulsion from the university, during which time students cannot earn or accumulate St. Edward's University credit. The student is not permitted to re-enroll at a later date. The student is prohibited from entering the university campus or facilities under control or jurisdiction of the university, or attending university-sponsored events. If the expulsion occurs during the semester, the student will be administratively withdrawn from his/her classes and no credit will be awarded that semester. Incomplete grades will not be allowed.
6. Educational sanctions including, but not limited to, attending an educational program or class, creating an educational poster, writing a reflective essay or hosting a residence hall program;
7. Community service to be served to the benefit of the St. Edward's University community;
8. Loss of privileges, including the following:
 - a. prohibition for a specified amount of time from attending certain university functions or activities;
 - b. restriction from entering certain university buildings and/or using university facilities;
 - c. ineligibility to hold an elected or appointed position on campus;
 - d. prohibition from operating a motor vehicle on campus;
 - e. loss of on-campus employment;
 - f. residential transfer that reassigns a student from one residence hall or apartment to a different residence hall or apartment;
 - g. loss of housing eligibility for a specific amount of time;
 - h. permanent loss of housing eligibility;
 - i. a no-contact directive that limits contact between a student and another student, faculty or staff member. After an investigation by the dean of students, a no-contact directive may be enforced between the above parties. These agreements are for a designated period of time. No-contact directive means that neither party may attempt to communicate with the other. Communication includes talking with, attempting to talk with, touching, staring at, writing to, attempting telephone or electronic contact (e.g., email, fax, text messages, Facebook, Twitter and/or other forms of social media), or any other form of contact of any kind. In addition, using a third person to access the complainant is unacceptable and considered a violation the agreement. Limitations on physical presence may also be imposed.
9. The university reserves the right to impose other sanctions as necessary to remain consistent with the mission and vision of St. Edward's University. These may include, but are not limited to: mandated psychological assessment, research projects, drug/alcohol classes or testing, proof of employment or attendance of designated classes.

Section 7: Appeal

Only a student who has received a determination of violations and/or sanctions by a hearing officer may appeal those determinations and/or sanctions. In Title IX cases, however, either party may appeal the determinations and/or sanctions one time.

If the student wishes to appeal the determination of violations and/or sanctions assigned by a hearing officer, the student must appeal to the appropriate administrator. Students must file an appeal of the hearing officer's decision or sanctions within three (3) business days of the written decision of the hearing officer. Such petitions must be in writing, set forth in detail the grounds for the appeal, and be delivered to the Dean of Students Office (Main Building 108) with full contact information of the student filing the appeal.

- A student's appeal of a residence director's decision is reviewed by the director of residence life.
- A student's appeal of the Student Conduct Board's decision is reviewed by the dean of students or CRB.
- A student's appeal of the director of residence life or designee's decision is reviewed by the associate dean of students/director of student welfare.
- A student's appeal of the associate dean of students/director of student welfare's decision, in which a student is not sanctioned with suspension or expulsion, is reviewed by the associate dean of students/director of student conduct.
- A student's appeal of the associate dean of students/director of student conduct's decision, in which a student is not sanctioned with suspension or expulsion, is reviewed by the associate dean of students/director of student welfare.
- A student's appeal of the associate dean of students, in which a student is sanctioned with suspension or expulsion, is reviewed by the Community Review Board (CRB).
- A student's appeal of the dean of students or director of student life's decision is reviewed by the Community Review Board (CRB).

A student may appeal the assigned violations and/or sanctions one time; therefore, the decision of the appropriate administrator or CRB is final. The grounds for an appeal of an administrative hearing or a hearing are limited to the following:

1. A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included. Note: When a party fails to provide a statement under advice of counsel during an investigation, and subsequent to the hearing decides to provide a statement, it will not be considered "new evidence" for the purposes of appeal. Additionally, subsequent findings of a criminal or civil court (e.g., dismissals, plea bargains, settlements) will not alone constitute sufficient grounds for appeal, but may be considered by the chair of the CRB if new evidence was the grounds for said finding.
3. The sanctions imposed by the university are grossly disproportionate to the severity of the offense.
4. To review the student's contention that the hearing officer's decision is not supported by any credible evidence. For purposes of such a review, the information, taken as a whole, is reviewed

and the reviewing administrator assumes all determinations of credibility to have been correctly made by the hearing officer.

Following the review, if the hearing officer or CRB determines that one of the four grounds for an appeal exists, the hearing officer or CRB will refer the matter back to the original hearing officer for reopening of the hearing to allow reconsideration of the original determination and sanctions imposed. The CRB must reach a unanimous decision in order to refer the matter back to the original hearing officer. Failure to reach a unanimous decision will result in denial of the appeal on those issues where a unanimous decision could not be reached.

The CRB is composed of three members of the St. Edward's University community, including faculty, staff and/or student membership, appointed by the dean of students. Students will not serve on the CRB in cases involving sexual violence and gender-based discrimination. CRB members participate in annual training with the dean of students. Anyone who does not receive annual training will not be eligible to participate in conduct proceedings. Administrative hearing officers may serve on the CRB as long as they were not previously involved in processing the original complaint.

UNIVERSITY POLICIES

ALCOHOL AND OTHER DRUGS POLICY

Alcohol and other drug abuse is one of the primary national public health issues on college campuses. In response, St. Edward's University has taken several measures to provide resources to the campus community. In accordance with the Drug-Free Schools and Communities Act (DFSCA) and Drug-Free Schools and Campuses Regulations, we are providing information that will be beneficial to students.

In addition to the St. Edward's University policy on alcohol and other drugs, this section includes: information on Texas State Law; educational resources about alcohol and others drugs, including risks related to prescription drug misuse; how to recognize a problem with alcohol; and how to avoid the hazards related to substance abuse. This section also provides information on university services available to students to answer general questions about counseling and treatment options, online resources, and knowing what to do in the case of an emergency. Lastly, this section contains information about alcohol and other drug-related sanctions for violations to the alcohol and other drugs policy

State and University Standards

1. Alcohol – St. Edward's University encourages the responsible use of alcohol. Service and/or consumption of alcohol is intended to be complimentary to an event, and under no circumstances should an event have the consumption of alcohol as its primary focus. The following policies and procedures governing the use of alcohol at St. Edward's University were formulated in accordance with the laws of the State of Texas restricting the possession and consumption of alcohol to persons who are 21 years of age or older. The responsible and legal consumption of alcoholic beverages by persons 21 years of age or older on the campus of St. Edward's University is restricted to the following areas and conditions:
 - a. in the privacy of a student's room in one of the seven residence halls (East, Hunt, Johnson, LeMans, Teresa, Dujarie, and Basil Moreau Hall, Casa, and Casitas) and in the university apartments, provided the space is not shared with an underage roommate and/or no underage students are present;
 - b. in the private residence on campus, which is currently St. Joseph Hall;
 - c. at any special event for which the director of Ragsdale Center has issued an alcohol permit. A permit will not be issued for events (dances, entertainers, residence hall events) that have historically attracted significant numbers of traditional students under 21 years of age.
 - d. Kegs are not permitted.
 - e. Food and non-alcoholic alternative beverages must be provided.
 - f. Those serving alcohol need to be at least 21 years old.
 - g. Drug or alcohol paraphernalia is not allowed in residents' rooms. Empty alcohol containers are considered paraphernalia and are not allowed in the rooms of residents who are under the age of 21. All paraphernalia will be disposed of appropriately and student conduct action may follow.

2. Illegal Drugs – Possessing, distributing or selling illegal drugs as defined in the Texas Health and Safety Code and federal law is against university policy. Students who choose to violate the illegal drug policy will be subject to disciplinary actions. Sanctions may include removal from on-campus living and/or suspension or expulsion from the university. The following situations are violations of the illegal drug policy:
 - a. possession, use or distribution of illegal drugs;

- b. misuse, distribution, or possession of another person's prescription drugs;
 - c. possession of illegal drug paraphernalia;
 - d. being present when an illegal drug violation occurs;
 - e. possession of controlled substances;
 - f. manufacture/delivery of controlled substances;
 - g. possession of marijuana;
 - h. delivery of marijuana; and/or
 - i. possession of synthetic marijuana or other drugs (K2, Spice or Bath Salts).
3. Texas State Law – Part of the university's alcohol policy includes the Texas alcoholic beverage laws. These laws are enforced by the University Police Department. A selection of laws that are of particular concern to the St. Edward's University community include:
- a. Driving While Intoxicated (DWI)
 - b. Possession of Alcohol by a Minor
 - c. Possession of False Identification
 - d. Consumption of Alcohol by a Minor
 - e. Purchase of or Furnishing Alcohol to a Minor
 - f. Driving Under Influence of Alcohol by a Minor
 - g. Public Intoxication

Education – Alcohol and Illegal Drugs

1. Alcohol and Health – In the United States, approximately 5-10 percent of the population develops alcohol dependence, a brain disease that can lead to death. Although some drinkers are at greater risk for alcohol dependence than others—such as those with a genetic predisposition—no one is exempt from the potential to develop an alcohol use disorder. Therefore, the university encourages all students to periodically seek a brief alcohol assessment using Alcohol Innerview (<http://think.stedwards.edu/healthcounseling/alcoholinnerview>). This confidential Internet resource gives students the ability to determine how alcohol may be impacting their life by distinguishing between alcohol use, misuse, abuse, and dependency.
- a. Safe Alcohol Use – When a person is using alcohol, he/she drinks in moderation, ensures that the focus of the activity is something other than the alcohol itself, and does not drink with the sole purpose of getting intoxicated. Moreover, he/she strives to maintain a safe Blood Alcohol Concentration (BAC < .04) and experiences no substance-related harm.
 - b. Alcohol Misuse – The consumption of alcohol in a manner that contributes to the harm of the individual, others in their lives or the wider community is considered alcohol misuse. However, a person misusing alcohol may avoid many of the hazards associated with high-risk alcohol use.
 - c. Alcohol Abuse – Within a 12-month period, alcohol abuse refers to a pattern of drinking that results in one or more of the following circumstances: failure to fulfill major responsibilities, drinking in situations that are physically dangerous, having recurring alcohol-related legal problems, or continued drinking despite having ongoing relationship problems that are caused or worsened by drinking.
 - d. Alcohol Dependency – An individual becomes physically dependent on a substance and experiences cravings and a compulsion to use it. If he/she does not use the substance, he/she will experience withdrawal. People who are dependent on alcohol are preoccupied with the use of the substance, and its use becomes a daily/weekly priority. Students who are alcohol dependent often schedule only late classes, lose the ability to predict how much they are going to drink in a given evening (lack of self-control), experience frequent blackouts, sneak drinks in order to hide how much they actually consume from

close friends and family, drink before going out (pre-game), and develop/maintain a high tolerance. In addition, any efforts employed to cut down on drinking are unsuccessful. Although many dependent students believe their drinking problems will cease with graduation from college, they are often sadly mistaken. Dependency is a serious medical problem that requires time, diligence and support to overcome.

2. Moderation vs. Heavy Drinking – Students who choose to drink should do so in moderation because risks to the health and safety of self and others increase as Blood Alcohol Concentration (BAC) increases. Additionally, heavy drinking causes multiple physical problems, especially in the brain and digestive system, because alcohol is toxic to the body. Both periodic and chronic heavy drinking is associated with academic, social and health problems.
 - a. Academic problems include class absenteeism, poor performance on major projects and exams as well as inattentiveness.
 - b. Social problems include unhealthy relationships, sexual victimization, isolation, arguments and fights.
 - c. Health problems include accidental injury and the consequences of unprotected and other forms of high-risk sexual behavior.

3. Tolerance – Contrary to popular notions, tolerance actually impairs an individual's ability to enjoy the positive, low dosage effects of alcohol. Tolerance can be artificially manipulated by periodic or chronic drinking and involves the consumption of increasing amounts of alcohol to receive the same effects. With increased tolerance, the euphoria experienced is lowered and an individual will show fewer signs of intoxication. Consequently, a person with high tolerance will be impaired without showing the typical signs of intoxication. Generally, if drinking stops, the person's body will revert to the tolerance level in existence when alcohol was consumed for the first time.

4. Point of Diminishing Returns – Levels below the “point of diminishing returns” reflect low dosages of alcohol (BAC < .06) that produce positive feelings through reduced inhibition, relaxation, slowed thinking and a mild stimulating “buzz” or euphoria. Alcohol is a depressant to the central nervous system, which causes the feeling of euphoria that most people expect from appropriate use.

5. Beyond the Point of Diminishing Returns – The negative depressant effects of alcohol intensify as BAC rises above .06, producing fatigue, impairment of coordination, increase in reaction time, diminished sensory perception, and impaired judgment while simultaneously erasing the positive, low-dosage effects. Intoxication is involved in a majority of violent student behaviors, including acquaintance rape, vandalism, and fights, as well as a majority of vehicular accidents.

6. Intoxication – It is illegal for individuals under the age of 21 to drive with any alcohol in their system. In Texas and most other states, a BAC of .08 or above is considered intoxicated for an individual over the age of 21.

7. Alcohol Blackout – If a student's BAC rises above .15, he/she can pass out and/or experience a memory loss (blackout) the next day. While passed out, he/she can die from choking on vomit. Breathing slows as the central nervous system becomes increasingly sedated. Another common experience is a “brownout,” a state in which the person has consumed enough alcohol to become very drunk while still remembering everything. However, they are so intoxicated they cannot control their behavior.

8. Alcohol Poisoning – If BAC rises above .30, the drinker is at serious risk of alcohol poisoning from respiratory failure. An intoxicated person is also at risk for death if the following occurs:
 - a. passes out and/or cannot be awakened;
 - b. cold, clammy, bluish or unusually pale skin;
 - c. slow breathing (less than 8 breaths/minute) or irregular breathing (more than 10 seconds between breaths); and/or
 - d. vomiting while asleep/passed out and does not awaken.

9. Illegal Drug Use – Marijuana, hashish, non-medical prescription medications, cocaine, hallucinogens (i.e., ecstasy, LSD, mushrooms), inhalants (i.e., aerosols, gasoline, paint), synthetic marijuana (K2, Bath Salts, Spice) and heroin rank as the most popular illegal drugs in the United States. Oftentimes there are no warning labels or little consideration given to the hazards of illegal drugs. Nonetheless, illegal drug use is a major public health concern impacting quality of life, resulting in absenteeism, poor academic performance and suspension, as well as significant physical and psychological health consequences. A variety of symptoms include euphoria, increased pulse rate and blood pressure, visual hallucinations, illusions, drowsiness, respiratory depression, slowed reaction time, impaired judgment and death, among many others. The university encourages all students to periodically seek a brief, confidential marijuana assessment using e-TOKE (<http://think.stedwards.edu/healthcounseling/etoke>).
 - a. Drug abuse is the use of illicit drugs or the abuse of prescription or over-the-counter drugs for purposes other than those for which they are indicated or in a manner or in quantities other than directed.
 - b. Drug abuse and dependence – Drug abuse is the use or excessive use of a drug for purposes for which it was not medically intended. Drug dependence is compulsive use of a substance despite negative consequences that can be severe. Physical dependence is not necessary to define addiction. Some substances that can cause addiction do cause dependence, but some substances that can cause addiction do not necessarily lead to dependence.

10. Prescription Drug Misuse – Although most people use medicine as directed, the abuse of and addiction to prescription drugs and pain medications are public health problems for many Americans. Addiction rarely occurs among those who use medicine as prescribed. The risk for addiction exists when drugs are used in ways other than as prescribed.
 - a. Attention Deficit/Hyperactivity (ADHD) Medications – Some of the current ADHD medications include Dexedrine, Adderall, Ritalin, Concerta and Strattera. Researchers have concluded that ADHD medications metabolize too slowly to be habit-forming, however, non-medical use of ADHD medications as “gateway drugs” can lead to misuse of legal or street drugs. The small percentage of students who are likely to abuse or sell prescribed stimulants also tend to have other substance use or conduct disorders. Research findings suggest an alarming level of non-medical use of ADHD medication that has led to life-threatening consequences such as heart attack or stroke.
 - b. Opiate withdrawal – A class of drugs called opiates includes morphine, codeine, oxycontin and others. Withdrawal is caused by stopping or greatly reducing use of an opiate after heavy and prolonged use. When use is discontinued, the body needs time to recover, and withdrawal symptoms result.
 - c. Opioid intoxication – Opium and its derivatives can generate an abnormal mental state. Intoxication is generally characterized by excessive sleepiness or unconsciousness depending on the degree of intoxication, which is usually associated with respiratory depression and decrease in pupil size.

11. **In Case of Emergency** – As a member of the St. Edward's University community, anyone who recognizes that a student is in danger should call 911 to request assistance. If the call is placed from campus, students should call the University Police Department at (512) 448-8444. Police officers can direct Emergency Medical Service (EMS) staff to the proper location as quickly as possible.

University Services

1. Health & Counseling Center – Counseling staff offer a variety of services and resources to students that include the following:
 - a. Anonymous, online alcohol use assessment and feedback resources can be accessed at <http://think.stedwards.edu/healthcounseling/alcoholedu> for those who want to complete a brief alcohol assessment or are concerned about alcohol and other drug use.
 - b. Confidential consultations with a counselor are available for those who want to complete an alcohol assessment or who are concerned about their own alcohol use or that of a friend or family member.
 - c. Confidential counseling concerning alcohol use;
 - d. Referrals to off-campus specialists, support groups, outpatient and inpatient services for the treatment of alcohol dependence;
 - e. Educational materials and programs for educational campaigns, classes and student groups;
 - f. As a resource to the campus community, the University Police Department has Certified Mental Health Officers who collaborate with the Counseling Center staff to respond to mental health crises.
2. Campus Ministry – Clergy and other ministerial staff provide pastoral care through an array of opportunities addressing alcohol and other drug problems and leading students to recovery, support and healing.
3. Residence Life – Staff members address residents' concerns and make appropriate referrals related to the negative effects of alcohol use, including interpersonal conflicts, vandalism and health concerns.
4. Health Services – Professionals treat injuries and illnesses associated with alcohol use and refer students who may have problems related to alcohol use to counseling or off-campus specialists for assessment and treatment if needed.

Texas State Law Summary of Penalties

(Penalties shown below are based on language contained in applicable Texas statutes and are subject to change at any time by the Texas Legislature and Governor.

A) Alcohol

1. Underage – It is illegal for someone under the age of 21 to possess, purchase, attempt to purchase, or consume alcohol.
 - a. First Offense – Alcohol awareness course, community service, a 30-day suspension of driver's license and up to a \$500 fine.
 - b. Repeat Offenses – Automatic suspension of driver's license, up to a \$2,000 fine and 180 days in jail. All penalties are assigned at the discretion of the judge.

- c. Parental Involvement – A parent must appear in court for any alcohol charges filed against a minor under 21 years of age.
2. Driving While Intoxicated (DWI) – If under 21, it is illegal to drive with any detectable Blood Alcohol Concentration (BAC).
 - a. A first offense results in up to a \$500 fine, 40 community service hours, alcohol awareness course and 60-day suspension of driver's license.
 - b. All penalties are assigned at the discretion of the judge.
3. False Identification – Similar to a DWI, a student can receive up to six months in jail, a \$500 fine, community service hours and one-year suspension of driver's license.
4. Providing Alcohol to a Minor – \$4,000 fine and/or one year in jail.
5. Legal Intoxication and Driving – A BAC of .08 is the legal limit for those over the age of 21; however, students may be cited for impaired driving due to alcohol regardless of BAC.
 - d. Refusal to take a blood or breath test to measure BAC can result in a 180-day driver's license suspension.
 - e. A first offense results in up to a \$2,000 fine, 180 days in jail and driver's license suspension up to one year.
 - f. Repeat offenses may result in up to a \$10,000 fine, 10 years in penitentiary and two years driver's license suspension.

B) Illegal Drugs

1. Possession of Controlled Substances (Drugs)
 - a. Minimum – A fine not to exceed \$10,000 and confinement in jail for a term of not more than two years or less than 180 days.
 - b. Maximum – A fine not to exceed \$250,000 and imprisonment for life or for a term of not more than 99 years nor less than 15 years.
2. Manufacture/Delivery of Controlled Substances (Drugs)
 - a. Minimum – A fine not to exceed \$10,000 and confinement in jail for a term of not more than two years nor less than 180 days.
 - b. Maximum: A fine not to exceed \$250,000 and imprisonment for life or for a term of not more than 99 years nor less than 15 years.
3. Possession of Marijuana
 - a. Minimum – A fine not to exceed \$2,000 and/or confinement in jail for a term of not more than 180 days.
 - b. Maximum – A fine not to exceed \$250,000 and imprisonment for life or for a term of not more than 99 years nor less than five years.
4. Delivery of Marijuana
 - a. Minimum – A fine not to exceed \$2,000 and/or confinement in jail for a term of not more than 180 days.
 - b. Maximum – A fine not to exceed \$100,000 and imprisonment for life or for a term of not more than 99 years nor less than five years.

Function Guidelines

1. All functions must be in accordance with university requirements and state laws.
2. The number of invited guests must be limited according to local fire code regulations. Information on fire code regulations is available through St. Edward's Facilities Department.
3. Only persons 21 years of age or older may sign function forms as purchasers of alcohol for a function. Some of the sponsors must be 21 years of age or older.
4. At least one sponsor per 50 function attendees must be present to monitor the function and must abstain from alcohol use.

5. All sponsors, whether present or not, will be held accountable to the university for any problems that occur. Sponsors are responsible for maintaining adequate insurance and for providing proof of insurance with the function form.
6. Function sponsors and underage drinkers will be held accountable under both state law and university policy if persons under age 21 are served alcohol at the function.
7. A system for clearly identifying those under age 21 will be in place throughout the function (such as bracelets), and sponsors will control access to ensure that uninvited and/or underage guests cannot gain admittance.
8. Guest lists will be strictly followed.
9. Sufficient quantities of free food and noncarbonated, nonalcoholic beverages are to be available throughout the entire function. They must be readily accessible and kept in close proximity to any alcoholic beverages being served. All alcoholic and nonalcoholic beverages should be clearly and accurately labeled.
10. Persons who appear intoxicated may not be admitted to the function and may not be served alcohol. Proof of age must be required to be served alcohol, and birthdates lists should be supplied to servers of alcohol, where available.
11. Alcohol may not be given as a prize for any contest/party game and should never be used as part of a party game. Chugging, drinking games, initiations and other potentially dangerous drinking activities are prohibited.
12. Alcohol-impaired guests may not leave the function without verification that they have safe transportation home.
13. Cups furnished for consumption of alcohol will be no larger than 12 ounces.
14. No alcoholic beverages may be brought into a function or activity where alcohol is sold on the premises.
15. Open containers may not enter or leave the function or activity premises.
16. No university funds may be used by student groups or organizations to purchase alcoholic beverages.
17. All service of alcoholic beverages will end 30 minutes before the scheduled end of the function.

ANIMAL POLICY

St. Edward's University provides reasonable accommodations for assistance for animals in the residence halls and apartments. An assistance animal is defined as one that is necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling when there is an identifiable relationship or nexus between the person's disability and the assistance the animal provides. The animal must be necessary for the resident with a disability to have equal access to housing and the accommodation must also be reasonable. An accommodation is unreasonable if it presents an undue financial or administrative burden on the university, poses a substantial and direct threat to personal or public safety, or constitutes a fundamental alteration of the nature of the service or program (<https://www.stedwards.edu/campus-living/housing>).

No one may bring animals into St. Edward's University buildings. Exceptions to this policy are assistance animals, service animals and any animal employed in the programs of the university. With exception of approved assistance animals, residents and guests are prohibited from bringing animals other than fish into residential facilities on campus. For further clarification on the residential policies, please see the Residence Life Guide to On-Campus Living and the 2017-2018 Housing Contract.

A. Service Animal Policy

Service animals are animals trained to assist individuals with disabilities in the activities of independent living. Pursuant to the Americans with Disabilities Act (ADA), a service animal means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. No other species of animal may serve as a service animal. Service animals are not pets. Service animals are not assistance animals: emotional support, therapy, or comfort animal.

The work or tasks performed by a service animal must be directly related to the individual's disability.

Examples of work or tasks may include, but are not limited to:

- Assisting individuals who are blind or have low vision with navigation and other tasks;
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds;
- Providing non-violent protection or rescue work;
- Pulling a wheelchair;
- Assisting an individual during a seizure;
- Alerting individuals to the presence of allergens;
- Retrieving items such as medicine or the telephone;
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities;
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors;
- Providing deep pressure therapy to individuals with psychiatric disabilities.
- “What work or task the animal has been trained to perform?”

Individuals with disabilities are permitted to be accompanied by their service animals on all St. Edward's campuses where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go, unless the university determines that permitting the service animal poses a health or safety concern, the service animal is not housebroken or cannot be effectively controlled by the owner. The accompaniment of an individual with a disability by a service animal in locations with health and safety restrictions, such as food preparation areas and laboratories, will be reviewed on a case-by-case basis by the appropriate department representative(s) in collaboration with Students Disability Services.

An individual with a disability may be asked to remove a service animal from the university if the animal cannot be effectively controlled by its owner, or the animal is not housebroken. If the university determines that a service animal must be excluded, the individual with a disability will be provided the opportunity to participate in the service, program or activity without having the service animal on the premises.

The university is not responsible for the care or supervision of a service animal. A service animal shall be under the control of its owner. A service animal shall have a harness, leash or other tether, unless either the individual is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the owner's control (e.g., voice control, signals or other effective means). The service animal is considered an extension of the person and therefore must be compliant with the same public rules and regulations that a person must comply with. Service animals are under the same Student Code of Conduct as the students.

The university shall not charge a surcharge for the service animal, even if people accompanied by pets are required to pay fees. If the university normally charges individuals for damages caused by a pet, an individual with a disability may also be charged for damage caused by the service animal.

B. Assistance Animal Policy

Assistance animals, also known as therapy, comfort or emotional support animals (ESA), alleviate one or more identified symptoms or effect of an individual's disability. The assistance performed by the animal must be directly related to the individual's disability. Assistance animals are not service animals, which are defined in and protected by the Americans with Disabilities Act.

Therefore, assistance animals may be considered in conjunction with access to university housing but they are not permitted in other areas of the university (e.g. libraries, academic buildings, classrooms, dining areas, labs, work areas, student centers, etc.). Students found in violation of this policy are subject to the Student Code of Conduct.

In accordance with the Fair Housing Act (FHA) and Section 504 of the Rehabilitation Act, Student Disability Services (SDS) at St. Edward's University engages in an interactive and collaborative process with students in order to determine eligibility for reasonable accommodations, including the use of an assistance animal in university housing. Under the FHA, a person may keep an assistance animal in her/his residence hall or campus apartment as a reasonable accommodation if:

- The individual has a disability;
- The animal is necessary to afford the individual with a disability an equal opportunity to use and enjoy campus housing; and
- There is an identifiable relationship between the disability and the assistance the animal provides.

Assistance animals are allowed only in the residence hall or campus apartment to which the individual with a disability is assigned by Residential Life. In making a decision whether to permit an assistance animal, the university shall inquire:

- About the nature or extent of a student's disability that substantially limits a major life activity;
- If the assistance animal is necessary for the student to use or enjoy his or her residence;
- About the relationship between the student's disability and the relief that the animal provides; and
- Require veterinary verification of vaccines for the animal.

C. Responsibilities of Individuals with Assistance Animals

The university is not responsible for the care or supervision of an assistance animal. Individuals with disabilities are responsible for the control of their assistance animals at all times and for ensuring the immediate clean-up and proper disposal of all animal waste. Individuals must comply with all applicable laws and regulations, including vaccination, licensure, animal health and leash laws, as well as the university's rules in lease provisions regarding vaccination, licensure, leash control, cleanup rules, animal health, and community relationships.

The university may exclude an assistance animal from university housing if the animal is not housebroken; would cause substantial physical damage to the property of others or university facilities; would pose a direct threat to the health or safety of others; would fundamentally alter the nature of a program or activity; or is not being cared for by the individual. Students will be liable for damage caused by assistance animals in the same manner they are responsible for personal damages to university property.

D. Requesting an Assistance Animal

Assistance animals are approved through the Housing Accommodation Process in Student Disability Services.

FIREARMS POLICY

The carrying or possession of any type of weapon or firearm is strictly prohibited (a) on all university premises, including university parking lots and (b) at campus related activities, and (c) while conducting university business. This policy excludes law enforcement personnel and others who are storing such firearms in a locked vehicle in full compliance with Section 411.2032 of the Texas Government Code.

GAMBLING POLICY

Students are expected to abide by the federal laws and the laws of the state of Texas prohibiting illegal gambling. Gambling for money or other things of value on campus or at university-sponsored activities is prohibited except as permitted by law.

HAZING POLICY

St. Edward's University issues the following as an extension of Texas state law. Under the current Texas state law, individuals or organizations could be subject to fines and charged with a criminal offense for hazing.

Hazing is a violation of both state law and university regulations. According to the law, a person can commit a hazing offense by engaging in a hazing activity, but also by soliciting, directing, encouraging, aiding or attempting to aid another in hazing by knowingly or recklessly allowing hazing to occur or by failing to report it in writing to the appropriate university official (dean of students, director of Student Life or athletic director) firsthand knowledge that a hazing incident has occurred. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under state law. See law below.

SUBCHAPTER F. HAZING

Sec. 37.151. DEFINITIONS. In this subchapter: (1) "Educational institution" includes a public or private high school. (2) "Pledge" means any person who has been accepted by, is considering an offer of membership from, or is in the process of qualifying for membership in an organization. (3) "Pledging" means any action or activity related to becoming a member of an organization. (4) "Student" means any person who: (a) is registered in or in attendance at an educational institution; (b) has been accepted for admission at the educational institution where the hazing incident occurs; or (c) intends to attend an educational institution during any of its regular sessions after a period of scheduled vacation. (5) "Organization" means a fraternity, sorority, association, corporation, order, society, corps, club, or service, social, or similar group, whose members are primarily students. (6) "Hazing" means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization. The term includes: (a) any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity; (b) any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student; (c) any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student; (d) any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an

educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subdivision; and (e) any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code. Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 37.152. **PERSONAL HAZING OFFENSE.** (a) A person commits an offense if the person: (1) engages in hazing;(2) solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;(3) recklessly permits hazing to occur; or (4) has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the dean of students or other appropriate official of the institution. (b) The offense of failing to report is a Class B misdemeanor. (c) Any other offense under this section that does not cause serious bodily injury to another is a Class B misdemeanor. (d) Any other offense under this section that causes serious bodily injury to another is a Class A misdemeanor. (e) Any other offense under this section that causes the death of another is a state jail felony. (f) Except if an offense causes the death of a student, in sentencing a person convicted of an offense under this section, the court may require the person to perform community service, subject to the same conditions imposed on a person placed on community supervision under Section 11, Article 42.12, Code of Criminal Procedure, for an appropriate period of time in lieu of confinement in county jail or in lieu of a part of the time the person is sentenced to confinement in county jail.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 37.153. **ORGANIZATION HAZING OFFENSE.** (a) An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing. (b) An offense under this section is a misdemeanor punishable by: (1) a fine of not less than \$5,000 nor more than \$10,000; or (2) if the court finds that the offense caused personal injury, property damage, or other loss, a fine of not less than \$5,000 nor more than double the amount lost or expenses incurred because of the injury, damage, or loss.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 37.154. **CONSENT NOT A DEFENSE.** It is not a defense to prosecution of an offense under this subchapter that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 37.155. **IMMUNITY FROM PROSECUTION AVAILABLE.** In the prosecution of an offense under this subchapter, the court may grant immunity from prosecution for the offense to each person who is subpoenaed to testify for the prosecution and who does testify for the prosecution. Any person reporting a specific hazing incident involving a student in an educational institution to the dean of students or other appropriate official of the institution is immune from civil or criminal liability that might otherwise be incurred or imposed as a result of the report.

Immunity extends to participation in any judicial proceeding resulting from the report. A person reporting in bad faith or with malice is not protected by this section.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 37.156. **OFFENSES IN ADDITION TO OTHER PENAL PROVISIONS.** This subchapter does not affect or repeal any penal law of this state. This subchapter does not limit or affect the right of an educational institution to enforce its own penalties against hazing.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 37.157. REPORTING BY MEDICAL AUTHORITIES. A doctor or other medical practitioner who treats a student who may have been subjected to hazing activities:(1) may report the suspected hazing activities to police or other law enforcement officials; and(2) is immune from civil or other liability that might otherwise be imposed or incurred as a result of the report, unless the report is made in bad faith or with malice.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

More information on Texas state law regarding hazing can be found at the following link:

<http://www.statutes.legis.state.tx.us/DocViewer.aspx?K2DocKey=odbc%3a%2f%2fTCAS%2fASUPUBLIC.dbo.vwTCAS%2fED%2fS%2fED.37%40TCAS2&QueryText=Hazing&HighlightType=1>

In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any person who reports a specific hazing event to the appropriate university official, and that person is immunized from participation (other than as a witness) in any judicial proceeding resulting from that report. The penalty for failing to report a hazing incident is a fine of up to \$1,000, up to 180 days in jail that or both. Penalties for other hazing offenses vary accordingly to the severity of the injury results. These penalties range from \$500 to \$10,000 in fines and up to two years confinement.

This law does not affect or in any way limit the right of St. Edward's University to enforce its own rules. Individual students who engage in hazing behaviors will face complaints under the Student Code of Conduct. Additionally, the Office of Student Life will address hazing incidents involving university student organizations, with respect to group sanctions and repercussions, and Athletics will address group hazing violations involving athletic teams. This can and will result in sanctions for both the individuals engaged in hazing and for the groups in which these individuals have membership or affiliation. See the Student Organization Manual for the Student Organization Disciplinary Policy and Judicial Processes.

The law defines hazing as any intentional, knowing or reckless act occurring on or off campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the physical or mental health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in or maintaining membership in any organization whose members are or include students at an educational institution.

St. Edward's University Hazing Policy

All acts of hazing by any individual student and university-registered student club or organization and any of its members or alumni are prohibited. Students are entitled to be treated with consideration and respect, and no individual may perform an act that is likely to cause physical or psychological harm or social ostracism to any other person within the university community.

Accordingly, the following behavior is expressly forbidden as hazing when related to the admission, initiation, pledging, joining or any other group-affiliation activity:

1. Physical abuse (on or off campus), including but not limited to paddling, slapping, kicking, choking, scratching, exposure to extreme (i.e., cold or hot) water temperatures, and the consumption of disgusting or dangerous concoctions.
2. Causing excessive mental stress, including but not limited to placing prospective members of an organization or group in ambiguous situations that lead to confusion, emotional stress or sleep deprivation.
3. Verbal abuse, including but not limited to shouting, screaming, or use of derogatory, profane or obscene language.

4. Subservience, including but not limited to any activity that promotes a class system within organizations or activities that facilitate inappropriate levels of authority over students.

This list is not exhaustive, and because of our dedication to the highest ideals of education and society at St. Edward's University, participation in hazing related activities is not tolerated. Any student or organization found to be involved in any hazing activity will face conduct action. It is the responsibility of all organization officers to ensure that this information is distributed, read, and understood by all members of their organization. Violation of this policy exists irrespective of the voluntary or consensual participation in the hazing activity by the person being hazed. Ignorance of this information is not a defense to university disciplinary procedures, civil, or criminal liability.

If you or your organization have any questions concerning hazing, Student Life maintains a variety of resources and reference materials available to assist in the development and implementation of student organization candidate education programs applicable to your organization. If you have any comments or suggestions about the university hazing please submit them to the Dean of Students Office (Main Building 108, 512-448-8408) or Student Life (Ragsdale Center 304, 512-448-8422).

Example: Noah was inducted into an unrecognized club that was part of a student organization. The club pledged not to haze its members. As part of the induction activities, Noah was asked to do calisthenics half-naked in extreme heat at the request of club leaders. Noah was told he did not have to do them, but that all members did them, and it improved their stamina. Noah voluntarily engaged in the calisthenics. This type of behavior violates the hazing policy, regardless of Noah's willingness to participate.

REGISTERED SEX OFFENDERS

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the St. Edward's University Police Department is providing a link to the Texas Public Sex Offender Registry, maintained by the Texas Department of Public Safety: <https://records.txdps.state.tx.us/SexOffender/PublicSite/Index.aspx>.

This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student.

Persons wishing to inquire concerning registered sex offenders who are enrolled at or are employed at St. Edward's University may search the Texas Public Sex Offender Registry by Institution of Higher Education through the link provided above.

SEXUAL MISCONDUCT POLICY

Introduction

It is the policy of St. Edward's University to comply with Title IX of the Education Amendments of 1972 that prohibits discrimination based on sex (including sexual harassment and sexual violence) in the university's educational programs and activities. Title IX also prohibits retaliation for asserting claims of sex discrimination. The university is committed to providing an environment free from discrimination

based on sex and provides a number of resources and services to assist students, faculty and staff in addressing issues involving sex discrimination, including sexual violence.

St. Edward's believes that members of the university community, guests and visitors have the right to be free from sexual violence. When an allegation of sexual misconduct is brought to the administration, and a respondent is found to have violated this policy, serious sanctions will be assigned. If the accused is a student, the Dean of Students Office will oversee the internal adjudication process as described in the Code of Student Conduct. If the accused is a student and a university employee, the Human Resources Office and the Dean of Students Office will coordinate the internal adjudication process, as described in the Code of Student Conduct, Employee Handbook and Faculty Manual (<https://www.stedwards.edu/campus-services/title-ix-and-preventing-discrimination/title-ix-employees>).

All members of the community are expected to conduct themselves in a manner that does not infringe on the rights of others. The St. Edward's University sexual misconduct policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy has a dual purpose. It serves as a measure to determine, after the fact, if behaviors trespass on community values. It also should serve as a guide for students on the preventative expectations the university has for sexual communication, sexual responsibility and sexual respect.

Sexual activity includes:

1. Intentional contact with the breasts, buttocks, groin or genitals; touching another person with any of these body parts; making another person touch you or touch himself/herself with or on any of these body parts; and any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifices; and/or
2. Intercourse, however slight, meaning vaginal or anal penetration by a penis, object, tongue or finger; and oral copulation (mouth-to-genital contact or genital-to-mouth contact).

Consent

1. Consent is knowing, voluntary and clear permission, by word or action, to engage in mutually agreed upon sexual activity. **Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. Consent can be given by word or action, but nonverbal consent is less clear than talking about what you want and what you don't.** For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct.
2. A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should reasonably know, that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the individual respondent of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.
3. Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from being under the influence of incapacitating drugs.
4. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the

circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent.

5. A person can withdraw consent at any time during sexual activity by expressing in words or actions that he/she no longer wants the act to continue, and if that happens, the other person must stop immediately.
6. According to state law, a minor below the age of consent cannot consent to sexual activity. This means that sexual contact by an adult with a person below the age of consent is a crime as well as a violation of this policy, even if the minor appeared to have wanted to engage in the act.
7. To be effective, consent cannot be procured by use of physical force, compelling threats, intimidating behavior or coercion. When someone makes clear that he/she does not want sex, wants to stop or does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. Under this policy, “No” always means “No” and “Yes” may not always mean “Yes.”

Sexual Misconduct Offenses

Sexual misconduct offenses include, but are not limited to, the following:

- A. Sexual harassment
- B. Nonconsensual sexual contact (or attempts to commit same)
- C. Nonconsensual sexual intercourse (or attempts to commit same)
- D. Sexual exploitation

A. Sexual Harassment

Elements

1. Unwelcome, sexual or gender-based verbal, written or physical conduct that is
2. Sufficiently severe, persistent or pervasive, so that it
3. Has the effect of unreasonably interfering with, denying or limiting employment opportunities or the ability to participate in or benefit from the university's educational, social and/or residential programs, and is based on real or reasonably perceived power differentials (quid pro quo), the creation of a hostile environment or retaliation.

Three Types of Sexual Harassment

1. Hostile environment: includes any situation in which there is harassing conduct that is sufficiently severe, pervasive/persistent and patently offensive so that it alters the conditions of education or employment, from both a subjective (the reporting party) and an objective (reasonable person's) viewpoint. The determination of whether an environment is “hostile” must be based on all of the circumstances. These may include:
 - a. the frequency of the conduct;
 - b. the nature and severity of the conduct;
 - c. whether the conduct was physically threatening;
 - d. whether the conduct was humiliating;
 - e. the effect of the conduct on the reporting party's mental or emotional state;
 - f. whether the conduct was directed at more than one person;
 - g. whether the conduct arose in the context of other discriminatory conduct;
 - h. whether the conduct unreasonably interfered with the reporting party's educational or work performance; and/or
 - i. whether the speech or conduct deserves the protections of academic freedom.
2. Quid Pro Quo: exists when these circumstances occur:

- a. unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature;
 - b. submission to or rejection of such conduct that results in adverse educational or employment action.
3. Retaliation: involves harassment or intimidation of a person that includes, but is not limited to, threats or actual violence against the person or his/her property, adverse educational or employment consequences, ridicule, taunting, bullying or ostracism.

Examples of Harassment

Not all workplace or educational conduct that may be described as “harassment” affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic, gender-based or racial epithet that creates offensive feelings in an employee or student would not normally affect the terms and conditions of their employment or education. The following examples are sufficiently severe, pervasive, persistent and patently offensive to violate this policy:

1. After a relationship break-up, one of the students makes multiple attempts to publicly humiliate the other student based on his/her past sexual history.
2. Someone displays explicit sexual pictures on the exterior of a residence hall door, window or on a computer monitor in a public space.

B. Nonconsensual Sexual Contact

Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object (including body parts), by a man or woman upon a man or woman, without effective consent.

Effective consent is active, not passive. Silence in and of itself cannot be interpreted as consent. Effective consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity: who, what, when, where, why and how sexual activity will take place. To be effective, consent cannot be procured by use of physical force, compelling threats, intimidating behavior or coercion. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that he/she does not want sex, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. To give effective consent, one must be of legal age.

If a person has sexual activity with someone he or she knows to be, or should reasonably know to be, mentally or physically incapacitated (alcohol or other drug use, unconsciousness or blackout), he or she is in violation of this policy.

Any time sexual activity takes place between individuals, those individuals must be capable of controlling their physical actions and be capable of making rational, reasonable decisions about their sexual behavior.

This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint or from so-called “date-rape” drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc., is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy. More information on these drugs can be found at www.911rape.org.

Use or overuse of alcohol or other drugs will never function to excuse behavior that violates this policy.

The requirements of this policy are blind to the sexual orientation of individuals engaging in sexual activity.

C. Nonconsensual Sexual Intercourse

Nonconsensual sexual intercourse is any sexual intercourse (anal, oral or vaginal), however slight, with any object (including body parts), by a man or woman upon a man or woman, without effective consent.

D. Sexual Exploitation

Sexual exploitation occurs when a student takes nonconsensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the person being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to the following:

1. Invasion of sexual privacy;
2. Prostituting another student;
3. Non-consensual video or audio-taping of sexual activity;
4. Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
5. Engaging in voyeurism;
6. Knowingly transmitting an STI or HIV to another student;
7. Exposing one's genitalia in non-consensual circumstances;
8. Inducing another to expose his/her genitals;
9. Revenge porn; and/or
10. Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

E. Other Misconduct Offenses (Under Title IX Policies and Procedures When Gender Based)

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct that threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
5. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the 1st Amendment);
6. Violence between those in an intimate relationship to each other; and/or
7. Stalking, defined as a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.

Risk Reduction Tips

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you reduce your risk for being accused of sexual misconduct:

1. Don't make assumptions about consent, someone's sexual availability, whether he/she is attracted to you, how far you can go, or whether he/she is physically and mentally able to consent.
2. Clearly communicate your intentions to your sexual partner and give him/her a chance to clearly relate his/her intentions to you.
3. Mixed messages from your partner should be a clear indication that you should step back, defuse the sexual tension and improve communication. Perhaps you are misreading your partner. Perhaps your partner hasn't figured out how far he/she wants to go with you yet. You need to respect the timeline with which your partner is comfortable.
4. Don't take advantage of someone's drunkenness or drugged state.
5. Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
6. Understand that consent to some forms of sexual behavior does not necessarily imply consent to other forms of sexual behavior.
7. Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and nonverbal communication and body language.

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

1. If you have limits, make them known before things go too far.
2. Tell a sexual aggressor "No" clearly and loudly, like you mean it.
3. Try to extricate yourself from the physical presence of a sexual aggressor.
4. Ask for assistance from others nearby.
5. Be responsible for your alcohol intake/drug use and realize that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
6. Watch out for your friends and ask that they watch out for you. A real friend will tell you if you are about to make a mistake. Respect them if they do.

If You Have Been Assaulted

University officials will act swiftly to ensure your safety. Other potential remedies for the survivor may include:

1. Making a counselor available;
2. Obtaining immediate medical attention;
3. Enacting a no-contact directive;
4. Moving the alleged perpetrator to a different campus residence or to a different class;
5. Changing an alleged perpetrator's work schedule;
6. Moving the reported survivor to a different campus residence or to a different class at the survivor's request;
7. Providing the reported survivor with transportation alternatives as needed;
8. Making adjustments to address co-curricular concerns;
9. Coordinating academic accommodations;
10. Providing an option for legal assistance;
11. Providing assistance with visa and immigration concerns;
12. Providing advocate options;
13. Collaborating with student financial assistance; and/or

14. Providing disability accommodations.

Survivors of sexual misconduct are strongly encouraged to report the incident and to take advantage of university support services available to them. Every effort will be made to assist survivors and to protect their rights. Services and rights available include the following:

1. A counselor will be available to assist survivors.
 - a. The Health & Counseling Center is available 24 hours a day. Call 512-448-8538 during office hours or 512-448-8444 at other times and ask for the counselor on call. Both male and female counselors are available.
 - b. The SafePlace Rape Crisis Center is available 24 hours a day. Call 512-267-SAFE.
2. Immediate medical attention is available through St. David's Medical Center, 919 E. 32nd St., 512-476-7111. Specially trained nurses perform the exam and are available 24 hours a day.

Survivors will be informed of the range of legal options available. The survivors may do the following:

1. Report the assault to the University Police Department 24 hours a day at 512-448-8444.
2. Report the assault to the Austin Police Department at 911 (allows the survivor access to Victim Assistance Program funds and services).
3. Report the assault to the dean of students at 512-448-8408 if the perpetrator is a student (allows investigation to be initiated). A staff member is available to explain all conduct procedures and options and to keep the survivor informed of the progress of the proceedings.
4. Make an anonymous report to the dean of students using the anonymous report form at <https://www.stedwards.edu/campus-services/office-dean-students/student-conduct>. No action can be taken if the only information available is the anonymous report, but appropriate statistics and information can be kept on file.

Confidentiality and Reporting

Different campus resource providers have different reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, survivors should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. Some resource providers may be able to maintain complete confidentiality, offering you options and advice without any obligation to tell anyone unless you want them to. Other resource providers will take action when you report crimes and policy violations, and are unable to guarantee confidentiality.

1. Confidential Reporting Options – If it is important to you that details of an incident be kept confidential, you should speak with on-campus counselors, campus health service providers or off-campus rape crisis resource providers who will maintain confidentiality. Campus counselors are available to help you free of charge and can be seen on an emergency basis. In addition, you may speak with members of the clergy and chaplains, on or off campus, who will maintain confidentiality for information they receive during the sacrament of reconciliation.
2. Nonconfidential Reporting Options – You are encouraged to report incidents to university officials including, but not limited to, the dean of students, residence life director, assistant vice president of human resources and university police commander, or their designees. You have the right and can expect to have reported incidents of sexual misconduct taken seriously by the university, and to have those incidents investigated and properly resolved through administrative procedures. Reporting does not mean that your report won't be confidential, but it does mean that information will be provided to those people who need to know, and that information will be shared as necessary with investigators, witnesses and the accused. The number of people receiving this information will be limited as much as possible to preserve your rights and privacy.

Sexual misconduct by a faculty or staff member or a student is a serious matter. Filing a complaint against someone for such inappropriate behavior is equally serious. The university's objective in these situations is to resolve the matter with care and concern for the best interests of the person filing the complaint, the person against whom the complaint is being filed, and the university.

A vice president will not be involved in the investigation or decision if the sexual misconduct complaint is against him/her. If the complaint is against the dean of students or the assistant vice president of human resources, he/she will not be involved in the investigation or decision.

Sanction Statement

The university reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting to the local police. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the university reserves the right to impose differing sanctions, ranging from oral warning to expulsion, depending on the severity of the offense and any mitigating or aggravating facts in connection with offense. The university will consider the concerns and rights of both the complainant and the person accused of sexual misconduct.

STATEMENT AGAINST INTOLERANCE

Background

The missions of Holy Cross and St. Edward's University, the operating principles of the university, and this "statement against intolerance" have all been shaped by the social teachings of the Catholic Church. The principles of Catholic social teaching are a call to participate in the creation of a more just and humane world for all people. Because of these values, St. Edward's University is committed to ensuring and protecting personal and cultural diversity, affirming tolerance, and promoting social justice through recognizing the dignity and worth of each person. The university is committed to a policy of tolerance and is opposed, in both philosophy and practice, to the oppression of diversity by individuals, groups or the institutional abuse of power.

Definition

Intolerance refers to an attitude, feeling or belief wherein an individual shows contempt for other individuals or groups based on arbitrarily selected characteristics.

Purpose

St. Edward's University is committed to creating an educational and work environment that is free from intolerance directed against individuals or groups. St. Edward's will not accept ignorance, humor, anger or substance abuse as an excuse, reason or rationale for intolerance. St. Edward's believes that all members of the community are individually and collectively responsible for their behavior and should be held accountable for their actions.

Complaints

Any student who believes he/she has been a victim of intolerance is encouraged to make a complaint to the Dean of Students as described in the conduct procedures portion of the Code of Student Conduct. Any

official other than the Dean of Students who receives a complaint should notify the Dean of Students to make certain that follow-up action is coordinated.

Students are strongly encouraged to report incidents and take advantage of the university support services available to them through Campus Ministry at 512-448-8499; Health & Counseling Center at 512-448-8686; Dean of Students Office at 512-448-8408; and University Police Department at 512-448-8444.

Sanctions

Individuals who by their words or actions fail to support the university's commitment to a campus free from intolerance will be subject to disciplinary action and may jeopardize their continued affiliation with the university.

Expression of Opinion

Institutions of higher education are established for the common good and not to further the interests of the individual or the institution as a whole. The common good depends on the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to both teaching and research. This policy applies to direct attacks on individuals or groups and does not apply to the free exchange of ideas in keeping with the principle of academic freedom. This policy doesn't extend benefits beyond those provided under other university policies.

STUDY ABROAD POLICY

Models of Study Abroad

The Global Engagement Office (GEO), previously known as the Office of International Education (OIE), at St. Edward's University works with each student to help them identify the study abroad opportunity best suited to their academic and personal goals. In order to accommodate a wide range of student aspirations, GEO works with a variety of study abroad programs, representing both short and long-term international academic opportunities. These programs include St. Edward's University faculty-led study abroad programs, St. Edward's University reciprocal exchange programs, and study abroad/academic internship programs offered through approved program providers. All programs are credit-bearing and have been vetted the GEO in terms of academic quality and student support services.

In addition, through collaborations between GEO and other campus offices, other global engagement opportunities are available. These programs include Campus Ministry's International Impact programs with several locations around the world, Student Affairs's Eco-Lead Program to Costa Rica, Campus Athletics competitions abroad, Music Department performances overseas and others. For these collaborative opportunities, interested students should begin the process by talking with the office offering the program.

To support students in having a successful global experience, GEO prepares students for their time abroad prior to their departure. In addition to individual advising appointments, pre-departure orientations are also held. Covering matters such as health and wellness abroad, academic concerns, cultural adjustment and practical matters, these orientations are designed to give students information on what to expect and what will be expected of them during their time abroad. In addition, while students are abroad they still have access to their assigned GEO Study Abroad Advisor for advice and guidance via email and phone. Students also have access to the GEO emergency cell phone number 24/7 during their time abroad. After a student returns from their program abroad, GEO holds events to help returning students reconnected

with GEO and St. Edward's campus. These events support returning students in discussing reverse culture shock and how to apply their study abroad experience to their academic, professional and personal goals.

Academic Expectations

As noted in earlier sections of this policy study abroad is an academic endeavor designed to enhance a student's studies at St. Edward's University. Academic preparation will contribute greatly to a successful experience abroad; therefore, students must have a GPA of 2.75 or higher when they apply to study abroad. Additionally, students must meet the academic requirements for the specific program or exchange for which they intend to apply.

Students who have spent time in the classroom at St. Edward's will have a clearer idea of their academic goals and the university's academic expectations. First-year and transfer students must have established a GPA at St. Edward's before studying abroad. Students that apply to a study abroad program during their first semester at St. Edward's will be asked to go through a petition process and/or will be required to submit letters of recommendation. Similarly, students wishing to study abroad during their last semester at SEU must submit a petition and show that they understand the possible complications which may occur by studying abroad so late in their academic career.

When approved for a study abroad program, students will register for SABR marker courses in order to facilitate the transfer of credits from the host institution. Students must earn the equivalent of a grade of C or above in order to transfer study abroad credit from the host institution back to St. Edward's. Students participating in the Angers, France and faculty-led programs will register for a special section of the SEU courses in addition to the SABR marker course(s). The grade achieved on SEU courses abroad will be calculated into the GPA and the course(s) cannot be taken pass/fail.

It is the student's responsibility to make sure the transcript from the host institution has been sent to and processed by St. Edward's University.

Student Conduct Issues

Students studying abroad remain a part of the St. Edward's University community and subject to the SEU Code of Student Conduct. Students studying abroad successfully will follow the SEU Code of Student Conduct, as well as the code of conduct or behavioral expectations of the program provider or host university, and will follow the laws of the host country.

Information regarding behavioral expectations and possible ramifications of discipline infractions are discussed during Pre-Departure Orientation. At the Pre-Departure Orientation session, students will sign documents acknowledging their understanding of these expectations and the potential ramifications of discipline infractions.

Programs, such as First Year in France (FYIF), in which accepted St. Edward's students study in international programs before attending St. Edward's University, are primarily subject to the conduct system of the program they are attending. However, these students should be aware acceptance of their future enrollment at St. Edward's University may be revoked by St. Edward's University in the event of a serious violation of the program's conduct system or behavioral expectations.

Should discipline issues occur while a student is studying abroad, they will initially be handled in the study abroad location by the faculty member, program provider, or host institution. The director of the

Office of International Education will be notified of discipline infractions should they occur. If and when such disciplinary occur, the situation will be discussed and evaluated with the appropriate campus entities. A decision will be made regarding whether or not the incident warrants a further response beyond the action taken by those on-site at the study abroad location or pursuant to the SEU Code of Student Conduct.

Should any infraction warrant dismissal from a program, the following immediate consequences will apply:

1. Student forfeits program fee and tuition paid to St. Edward's University, host institution, or provider program;
2. Student does not receive academic credit for the program;
3. Student assumes transportation costs associated with early return from program (including purchase of a new return flight or fees assessed for changing flight details);
4. Student must assume responsibility for the dismissal including, if applicable, dealing with financial aid consequences and possible further disciplinary action upon return to St. Edward's University.

TECHNOLOGY POLICY

Please see the Technology Policy at the following link:

<https://www.stedwards.edu/information-technology>

Introduction

1. St. Edward's University provides information technology resources for educational, research, and administrative uses by its students, faculty, staff and visiting scholars. This policy supports and supplements the university's more general policies and procedures governing faculty, students, staff, and facilities.
2. University information technology resources that are subject to university policies include, but are not limited to, the following:
 - a. Any computer related equipment and/or data (electronic or printed) owned or managed by the university. This includes electrical power.
 - b. Any computer, server (i.e., any computer that runs an application which allows remote access to local resources), networking device, telephone, copier, printer, fax machine, or other information technology which is owned or leased by the university or is connected to any university network or system is subject to university policies.
 - c. Any device that:
 - i. connects directly to the university data or telephone networks,
 - ii. uses university network-dialup facilities (campus modem pool or wireless systems),
 - iii. connects directly to a computer or other device owned or operated by the university, and/or
 - iv. uses or affects university information technology facilities.
3. Prior to accessing technology in order to post information outside the jurisdiction of the university, you should review the appropriate university policy. Please review
 - a. For staff: the Employee Handbook, "Outside Activities" policy (<https://stedwards.app.box.com/v/EmployeeHandbook>)
 - b. For students: the Code of Student Conduct, Article 2: Misconduct (<https://www.stedwards.edu/campus-services/office-dean-students/student-conduct>)

- c. For faculty: the Faculty Manual, 2.9 Faculty Rights and Responsibilities (<https://www.stedwards.edu/academic-affairs/faculty-support>)
- 4. Scholarly communities within the university may extend the SEU community beyond SEU faculty, staff & students in support of academic goals and standards.
- 5. Under no circumstances may anyone use information technology resources in ways that are illegal or against university policies, violate the university mission, threaten the university's tax exempt or other status, or interfere with reasonable use by other members of the university community. For information on some of the possible consequences of misusing information technology resources described in Section III.C. of this policy, please refer to the Employee Handbook, the Code of Student Conduct, or the Faculty Manual.

Roles and Responsibilities

1. The University - The university owns most of the computers and all of the internal computer networks used on campus. The university also has various rights to the software and information residing on, developed on, or licensed for these computers and networks. The university administers, protects, and monitors this aggregation of computers, software, and networks. In its management of information technology, the university and its administrative and academic departments take responsibility for the following:
 - a. Managing computing resources so that members of the university community are not denied fair access to them;
 - b. Establishing and supporting reasonable standards of security for electronic information that community members produce, use, or distribute, and ensuring the privacy and accuracy of administrative information that the university maintains;
 - c. Delineating the limits of privacy that can be expected in the use of networked computer resources and preserving freedom of expression over this medium without permitting abusive or unlawful activities;
 - d. Enforcing policies by restricting access and initiating disciplinary proceedings as appropriate;
 - e. Ensuring that central university computer systems do not lose critical information because of failures or breakdowns;
 - f. Protecting individual passwords from disclosure;
 - g. Providing network access, including wireless access.

2. The Individual
 - a. All members of the university community must follow the policies that make these resources secure and efficient. All users are subject to university policies and other statements of conduct as published in the Student Handbook, Faculty Handbook, and Employee Handbook as well as all applicable federal, state, and local laws. The University prohibits individual commercial use of university computer systems. Incidental personal use by employees is allowed at the discretion of the cost center manager.
 - b. Examples of responsible use of technology include but are not limited to the following:
 - i. Observing policies governing the privacy of others, including restrictions placed upon accessible data (secured or otherwise) stored locally or transmitted across network systems;
 - ii. Using resources efficiently, and accepting limitations or restrictions on computing resources—such as storage space, time limits, or amount of resources consumed—when asked to do so;

- iii. Backing up files and other data regularly;
 - iv. Preventing unauthorized network access to or from their computers or computer accounts;
 - v. Protecting personal passwords and respecting security restrictions on all systems;
 - vi. Respecting the rights of others to be free from harassment or intimidation, to the same extent that this right is recognized otherwise on campus;
 - vii. Honoring copyright and other intellectual-property rights;
 - viii. Taking reasonable precautions to avoid introducing computer contaminants, such as viruses, trojans and worms into university computer systems.
 - ix. Honoring academic freedom for professional presentations in public forums and correspondence.
 - x. Honoring scholarly postings and articles for publishing in social computing environments, including but not limited to blog and wiki technology;
- c. Individuals who are not members of the university community may be allowed or invited to present information for publication on an electronic site (e.g. faculty blogs, wikis, or other research projects) hosted by the university provided that all laws, including copyright laws, are satisfied and the faculty member overseeing the presentation reasonably believes this information also satisfies academic conventions for scholarly research. Those items not meeting these criteria either may not be published on that electronic site or may be removed from public display by that faculty member. Notice of these criteria should also be displayed to anyone submitting materials to that electronic site.

TITLE IX: A COMMITMENT TO NON-DISCRIMINATION

It is the policy of St. Edward's University to comply with Title IX of the Education Amendments of 1972, which prohibits sex- and gender identity- based discrimination (including sexual harassment and sexual violence) in the university's educational programs and activities, including employment and admission. Title IX also prohibits retaliation for asserting claims of sex and gender identity discrimination. The university is committed to a discrimination-free environment and provides resources and services to help students, faculty and staff address issues involving sex and gender identity discrimination.

For more information, contact the St. Edward's University Title IX Coordinator, Lisa Kirkpatrick, the Vice President for Student Affairs, at lisak@stedwards.edu or 512-448-8777 or visit <https://www.stedwards.edu/campus-services/title-ix-and-preventing-discrimination>

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