



THOMAS  
MORE  
UNIVERSITY

Make It **More.**

Thomas More University  
Saints Community Standards  
Code of Student Conduct & Student Conduct Process

2024-2025

<https://www.thomasmore.edu/>

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## Thomas More University Community Commitments

### *Introduction & Student Declaration of Integrity*

Thomas More University is committed to furthering our mission to develop and sustain challenging undergraduate, graduate, and professional programs of study, marked by superior teaching and scholarship within the Catholic intellectual tradition. Inspired by the teaching of the Catholic Church, and by our patron, Saint Thomas More, Thomas More University is committed to challenging students to examine the ultimate meaning of life, their place in the world, and their responsibility to others. Our programs of study emphasize Catholic liberal arts within a context of ethical concern and social responsibility. These programs of study are complemented by co-curricular services and programs intended to enhance lifelong learning, foster personal growth, and develop leadership qualities.

Achieving this mission is dependent upon the quality of community Thomas More University creates. Thomas More University has high aspirations for students' experience and development as members of this community. The Saints Community Standards at Thomas More University is supported by five Community Commitments that provide a foundation to inform the University's expectations for members of our community. These five commitments are: *Individual Worth, Personal Integrity, Self-Control, Critical Thinking, and Community Responsibility*. Members of the Thomas More Community aspire to these commitments and are expected to demonstrate these commitments in all aspects of their lives within this community whether on or off campus.

### *Student Rights and Responsibilities*

**Individual Worth:** Thomas More values “an atmosphere characterized by Christian love, Thomas More University promotes respect for the unique talents, self-awareness, self-fulfillment, and freedom of each person together with tolerance and compassion. Thomas More University is committed to demonstrating God’s love by recognizing everyone as unique and worthy of respect.

- I will promote a professional environment and strive to achieve my greatest potential academically.
- I acknowledge that my status as a Thomas More community member does end upon my departure but continues to reflect on me throughout life.

**Personal Integrity:** Thomas More University’s community demonstrates a commitment to Christian character and mutual trust amongst the community. As our vision statement claims, we seek to “provide an atmosphere of openness, honesty, trust, and respect that is ever apparent to ourselves and to visitors alike.”

- I will conduct myself in a manner that upholds the University's mission and values.

**Self-Control:** The Thomas More community is committed to self-control and to creating a culture of accountability. This recognition of personal responsibility prepares all individuals to develop intellectually, spiritually, emotionally, and physically.

- I will devote myself to becoming an upstanding member of this institution and the external community post-graduation by making decisions that maintain the academic integrity of Thomas More.
- I understand that all resources provided by Thomas More belong to everyone in the Thomas More community and will respect these valuable assets.

**Critical Thinking:** Both inside and outside the classroom, the Thomas More community emphasizes a

context of ethical concern and social responsibility. We live out our mission through a commitment to the pursuit of truth and knowledge and engaging in transformative experiences to educate for one's entire life.

- I will approach academic challenges with thoughtful inquiry and analysis, utilizing evidence-based reasoning to draw conclusions, including assessing the credibility of information sources and making reasoned decisions in both academic and personal contexts.
- I will commit to understanding diverse perspectives, engaging in respectful dialogue with peers, faculty, and staff while maintaining respect for differing viewpoints.
- I will use critical thinking skills to solve complex problems in academic, social, and professional settings. This includes identifying relevant information, analyzing options, anticipating consequences, and implementing solutions effectively.

**Community Responsibility:** Thomas More University seeks to develop students who will have a sense of responsibility toward their fellow human beings, respect for all life, indeed toward all the resources of the earth that God has placed in our care.

- I will foster an environment of respect and compassion where students, faculty, and staff of all backgrounds and walks of life can coexist and develop in a diverse global community within a Catholic institution.
- I will do this while working towards becoming a productive and active member of the Thomas More University community and society.

## Code of Student Conduct

All students at Thomas More University, both undergraduate and graduate, are expected to behave supportive of the institution's mission, processes, and functions. Integrity, respect for the person and property of others, and a commitment to intellectual and personal growth in a diverse population are values deemed fundamental to membership in the University community.

Through voluntary entrance to Thomas More University, students assume obligations of performance and behavior imposed by the Institution. The following disciplinary rules, *although not all-inclusive*, are provided as behavioral standards and are designed to help ensure order in the University community, to protect the rights of community members and to create an environment which can enhance the opportunity for personal growth and development on campus, in the community, and on-line.

Thomas More University considers the following behavior(s), or attempts thereof, by any students or student group(s), whether acting alone or with any other person(s), to violate the Code of Student Conduct. Accountability is not diminished for violations that are committed in ignorance of the Code of Student Conduct or under the influence of alcohol, illegal drugs, or improper use of controlled substances.

1. Knowingly and willingly being in the presence of a violation of part of the Code of Student Conduct;
2. Acts of incivility or irresponsible and/or disrespectful social conduct;
3. Acts of dishonesty, including, but not limited to:
  - a. Cheating, plagiarism, or other forms of academic dishonesty (see section 2.4)
  - b. Furnishing false information to any Thomas More University official, faculty member, staff member, or office
  - c. Forgery, alteration or misuse of any Thomas More University document(s), record(s), or instrument(s) of identification
  - d. Tampering with election(s) of any institutional recognized student group(s)
  - e. Violation(s) of the academic integrity policy (see section 2.4)
4. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, operations, or other institutional activities. This includes public service functions on or off campus, or any other authorized non- Thomas More University activities when the act occurs on Thomas More's premises.
5. Physical or verbal abuse, threats, intimidation, coercion, bullying, aggressive behavior, conduct which threatens or endangers the health and/or safety, or acts which are contrary to the ideals of respect;
6. Sexual misconduct; sexual contact without consent; sexual acts or exploitation committed either by force, intimidation, or using the victim's mental incapacity or physical helplessness; sexual harassment; recording sexual activity or sharing sexual content without consent of *all* parties (see section 2.5);
7. Attempted or actual theft of and/or damage to or vandalism of property of Thomas More University or property of a member of the community or other personal or public property;
8. Acts which constitute a fire hazard / safety including but not limited to:
  - a. Failure to evacuate when first alarms are activated or as instructed for reasons of personal safety by any member of Thomas More University staff
  - b. Tampering with fire safety equipment
  - c. Discharging fire extinguishers without reasonable cause(s)
  - d. Use of fireworks or other items that pose a fire threat to the community
  - e. Failure to abide by room occupancies
9. Hazing – Hazing is a criminal offense at Thomas More University. Hazing is prohibited in all forms. This policy is based on the proposition that students are entitled to be always treated with consideration and respect. It applies to all student organizations and individuals. Specifically, hazing is defined as any mental or physical requirement, request, or obligation placed upon any

- person which could cause discomfort, pain, fright, disgrace, injury, or which is personally degrading, or which violates any federal, state, local statute or university policy, the willingness of an individual to participate in such activity notwithstanding
10. Failure to comply with directions of any Thomas More University official or law enforcement acting in performance of their duties and/or failure to identify oneself to these individuals when requested to do so;
  11. Unauthorized entry, use, or occupancy of Thomas More University facilities that are locked, closed, restricted, etc.;
  12. The possession or manufacture of any false or altered form of identification, the improper use of any identification card, including knowingly altering or mutilating a university student identification card, or using the identification card of another, or allowing one's own card to be used by another;
  13. Violation of any published Thomas More University policies, rules, regulations, including but not limited to Housing & Residence Life policies, Housing & Residence Life Housing Contract, Student Clubs & Organizations policies, Student-Athlete Code of Conduct, etc.;
    - a. At Thomas More University, the Athletics department controls all their conduct through a separate process from Student Conduct based on NCAA Division II & Great Midwest Athletic Conference regulations. To review the Student Athlete Handbook, use the link below:  
[https://thomasmoresaints.com/documents/2024/6/3/StudentAthlete\\_Handbook\\_2024.pdf](https://thomasmoresaints.com/documents/2024/6/3/StudentAthlete_Handbook_2024.pdf)
  14. Violation of laws on premises; Violation of federal, state, or local law on Thomas More University premises, off campus, or at any institutional sponsored or supervised events;
  15. Use, possession, or distribution of narcotics, other controlled or illegal substances including but not limited to synthetic drugs, or paraphernalia associated with the use of illegal substances;
  16. Use, possession, or distribution of alcoholic beverages in residence hall(s);
  17. Possession of weapons or other dangerous items including but not limited to firearms, knives, guns (of any kind), tasers, bows and arrows, fireworks, explosives, ammunition, or dangerous chemicals on any Thomas More University premises;
  18. Participation in campus demonstrations and/or protests which disrupts the normal operations of Thomas More University and infringes on the rights of other members of the Thomas More community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building(s)/area(s); intentional obstruction, which is unreasonably interferes with freedom of movement, either pedestrian or vehicular; on or off campus
  19. Obstruction of free flow pedestrian or vehicular traffic on any Thomas More University premises or at any sponsored functions or events;
  20. Permitting guests, knowingly or by negligence, to violate any portion of the Student Code of Conduct;
  21. Theft, abuse, or misuse of technology including but not limited to:
    - a. Accessing any system with another person's credentials (e.g., ID/username and password), whether someone gave the information to you, or it was hacked
    - b. Illegally downloading copyrighted material(s)
    - c. Sharing anyone's login or other confidential information
    - d. Acting as anyone other than yourself online, whether through someone's account or false account
    - e. Communicating false information as if it came from an authoritative source
    - f. Interfering with the work of another student or Thomas More employee
    - g. Harassing or bullying which includes but is not limited to sending or posting obscene, false, threatening, inappropriate, or abusive messages
    - h. Hacking, attacking, misuse, or unauthorized use of any computer system(s) or equipment(s) provided for your use
    - i. Use of technology to engage in plagiarism (e.g., artificial intelligence, ChatGPT, etc.) (see section 2.4)
  22. Abuse of the Student Code of Conduct process including but not limited to:

- a. Failure to obey the summons of a Student Code of Conduct advisor or institutional official
  - b. Falsification, distortion, or misrepresentation of information before a Conduct Advisor, Student Conduct Board member, or other University official
  - c. Disruption or interference with the orderly conduct of a student conduct proceeding
  - d. Institution of a student conduct proceeding knowingly without cause
  - e. Attempting to influence the impartiality of a member of a Conduct Advisor, board member witness(es), accused person(s), or complainant(s) prior to and/or during the Student Conduct process
  - f. Attempting to discourage individual's proper participation in, or use of, the Student Conduct process
  - g. Harassment (verbal or physical) and/or intimidation of a Conduct Board member or Conduct Advisor prior to, during, and/or after a student conduct proceeding
  - h. Failure to comply with the sanction(s) imposed by a Conduct Advisor or board member
  - i. Influencing or attempting to influence another person to commit an abuse of the student conduct process(es)
23. Violation of Thomas More University's non-discrimination policy from the Board bylaws.
- a. Thomas More University is committed to providing an environment in which all persons are safe from discrimination, and which adheres to all federal and state laws banning discrimination. Aligning with this commitment, Thomas More University will not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, color, religion or creed, disability of a qualified individual, veteran status, military service, age, national or ethnic origin (including ancestry), citizenship, genetic information, pregnancy, or sex.

## Student Conduct Process

### Introduction:

When many people live and work together in a campus community with concern(s) for one another, it becomes necessary to formulate procedures and regulations to provide resources and support. Consistency with these objectives, Thomas More University recognizes an obligation to provide an environment that is conducive to meeting the academic, living & learning, and social goals established by the institution and to stimulate a community of civility and civil discourse where learning and living in a secure environment can thrive.

### Student Code of Conduct Philosophy:

Certain procedures and regulations have been developed by Thomas More University to assure quality of opportunity for each student and all student groups in attainment of their objectives. Thomas More University considers students to be mature and responsible individuals to establish, accept, and maintain standards for personal and group conduct in accordance with the regulations of Thomas More University and laws of the county, state, and federal government.

To protect the welfare and freedom of all its students, faculty, and staff, and Thomas More University property from destruction and misuse of the five commitments, *Individual Worth, Personal Integrity, Self-Control, Critical Thinking, and Community Responsibility*, Thomas More University has formulated the Student Conduct Process. Thomas More has an obligation to clarify those standards of behavior that it considers essential to its educational mission, values, and goals. These general, behavioral expectations and the resultant regulations represent a reasonable standard of student conduct for students on-campus, in the community, and while engaged in online activities. Operating a student conduct process in an institutional environment requires careful and thorough investigation(s) and consideration(s) of many factors. Each student will be regarded considering their individual character, their actions, and the amenability of that student to the ideals of civility and respect for others. Thomas More believes that each case and each student is unique. All decisions rendered in a case will be made from an educational and personal growth perspective. The decision(s) will be based on whether the individual is fulfilling the responsibilities expected of a student here at Thomas More University.

### Section 1: Organization

- 1.1 The President of Thomas More University has the delegated authority to the University Student Conduct Process to adjudicate cases alleging violations of the Code of Student Conduct by Thomas More University.
- 1.2 The procedures included herein apply to the resolution(s) of matters of academic misconduct, social misconduct, and related matters. Matters of academic conduct may be resolved via the University Academic Integrity Policy guidelines and/or referred to the University Student Conduct Process as deemed appropriate.
- 1.3 Supervision of the University Student Conduct Process is the Dean of Students office's responsibility. Implementation of these procedures is the Dean of Students or their designee's responsibility, in cooperation and consultation with appropriate University community representatives.
- 1.4 Thomas More University is an institution of higher learning where individual growth and development are fostered, excellence is pursued, and the highest level of integrity is expected. Thomas More University is committed to providing a community where people are safe, belongings are secure, individual rights of all persons are respected, and education is achieved.
- 1.5 The Code of Student Conduct outlines the behavior expected of all Thomas More students. Having voluntarily enrolled, all students agree to abide by the rules and regulations set forth in the Code of Student Conduct. Each student is responsible to modify their behavior to adhere to the requirements of this code and applicable, federal, state, and local laws.



- 1.6 Violations of the Code of Student Conduct will be adjudicated by the University Student Conduct process, which is designed to reflect and support the educational mission of Thomas More and to ensure the fair and equitable treatment of all individuals and groups charged with or victimized by student misconduct. Violations of Thomas More's policy on Sexual Misconduct and Violence will be adjudicated in accordance with that policy.
- 1.6.1 Thomas More University is committed to fostering a climate free from sexual-based discrimination, harassment and violence, dating violence, domestic violence, and stalking through clear and effective policies, a coordinated education and prevention program, and prompt and equitable procedures for resolution of reports of conduct prohibited under the Sexual Harassment and Misconduct Policy which can be found [here](#).
- 1.7 The decision to pursue allegations of student misconduct through the University Student Conduct process will be consistent with the philosophies and guidelines outlined in this document. Sanctions are designed to be educational and encourage students to take accountability.
- 1.8 Thomas More considers its Code of Student Conduct as a statement of minimal expectations and seeks to foster a commitment to the highest standards of ethical and moral behavior by the coherent, consistent, and fair way it enforces its rules and regulations. Thomas More sees its Student Code of Conduct process as a learning experience that is intended to result in the holistic growth and understanding of individual responsibilities on the part of all people.

## ***Section 2: Jurisdiction***

- 2.1 The Student Conduct Process has authority over all alleged violations of the Code of Student Conduct by any student or recognized student group that may be brought to the University's attention. Jurisdiction of the Student Conduct process extends to alleged misconduct that takes place on Thomas More University owned or controlled property or on property close to Thomas More including off campus housing; alleged misconduct that takes place at any University sponsored events; alleged misconduct that takes place at internship sites, student teaching, placements, or any site of designated academic activity; and alleged misconduct that has a profound impact on the educational mission and well-being of the Thomas More community that takes place at any location off campus or online.
- 2.2 Student Conduct proceedings are administrative in nature and independent of any criminal and/or civil proceedings that may be concurrently in process. Student Conduct proceedings are intended to enforce the Code of Student Conduct at Thomas More University although behavior(s) in question may be simultaneously in violation of federal, local, or state law(s). Thomas More may notify local and federal authorities when a crime is alleged to have been committed, but such notification will not modify Thomas More University's authority to address the alleged misconduct through its own conduct process.
- 2.3 The findings of Thomas More University disciplinary process is independent – and - therefore, are not affected by the findings of any criminal or civil proceedings. Students whose charges have been reduced/dismissed in criminal proceedings may be held accountable in the Student Conduct process.
- 2.4 Violation(s) of the Academic Honesty Policy may be referred to and processed by the Student Conduct Council, Thomas More University Student Conduct process, or both. The Student Conduct Council and Thomas More University's Student Conduct process are administrative in nature and operate independently of one another.
- 2.5 Violations related to gender such as sexual harassment, sexual assault, and other sexual misconduct will be referred to and investigated by the Title IX Office.

## ***Section 3: Overview of the Student Conduct Process***

- 3.1 A student conduct complaint may be filed against any student or recognized student group/organization by any member of the Thomas More University community, including the university itself. The individual(s) making the complaint is designated as the complainant. The

- individual(s), or student group/organization, reported to have allegedly engaged in prohibited conduct is considered the respondent in the incident. Complaints may be filed by a member of the institutional community by providing a statement to the Dean of Students, Campus Safety, or with any other appropriate Thomas More department. All documentation and other evidence associated with the complaint (e.g., Campus Safety or police department reports and witness statements) should be included with the statement and submitted to the Dean of Students. More than one complaint may be filed arising out of the same incident.
- 3.2 Complaints regarding academic dishonesty or abuse of university technology resources will be handled according to specific departmental/college/institutional policies and may be referred to the University Student Conduct process or the Academic Appeals Process at the discretion of the appropriate department Director or Dean.
  - 3.3 The Dean of Students or their designee(s) will determine whether a complaint concerns students and/or recognized student groups and whether the complaint concerns subject matter falling within the district of between Thomas More University's Student Conduct process. The Dean of Students or their designee(s) will also determine whether the complaint demonstrates sufficient evidence of wrongdoing to warrant further investigation and/or commencement of the conduct process.
  - 3.4 The standard proof applied within the University Student Conduct process is a preponderance of the evidence, which requires demonstration that is it *more likely than not* that the accused student(s) or recognized student group(s)/organization(s) has violated the Student Code of Conduct.
  - 3.5 It is the responsibility of each party to investigate, prepare, and present their case before the designated student conduct advisor(s). This responsibility includes identifying and presenting all or any witnesses and/or witnesses' statements. Thomas More University is not authorized to mandate the appearance of any witnesses at a Student Conduct proceeding. Similarly, neither parties nor their representatives are authorized to mandate or attempt to force the appearance of any person at a Student Conduct proceeding.
  - 3.6 Complainants are permitted to withdraw their complaints after filing if the Dean of Students and/or designee(s) are satisfied that the complainant's decision(s) has not been influenced by intimidation or pressure. If the complainant is determined to have been influenced by intimidation or pressure, or in any other extenuating circumstance(s), or where the institution's interests would be served by continuation of the case, the Dean of Students may appoint a Thomas More University complainant to continue to case.
  - 3.7 Upon determining that a complaint meets the standards required by the Student Conduct process, the investigating office(s) will contact the respondent(s) or recognized student group(s)/organization(s) via email. The respondent(s) or recognized student group(s)/organization(s) will be required to schedule and attend an individual *Informal Resolution Meeting* with the appropriate conduct advisor to discuss the allegations.
  - 3.8 The respondent(s) or recognized student group(s)/organization(s) must schedule and attend the *Informal Resolution Meeting* with their designated conduct board member within three (3) institutional business days of receipt of their written notification of charges. Failure to schedule and/or attend the *Informal Resolution Meeting* will result in the case being heard without the student(s) or recognized student group(s)/organization(s) being present and the right to appeal any decision shall be considered forfeited.
  - 3.9 At an *Informal Resolution Meeting*, the respondent(s) or recognized student group(s)/organization(s) will be advised of their rights and responsibilities under the Thomas More University Student Code of Conduct process(es). An *Informal Resolution Meeting* consists solely of the respondent(s) or recognized student group(s)/organization(s) and their assigned conduct advisor(s). The respondent(s) or recognized student group(s)/organization(s) will also be given the opportunity to assume responsibility for the charges filed or to request that the complaint be considered by the Student Conduct board. The respondent(s) or recognized student group(s)/organization(s) may also be asked to supply a written statement responding to the charge(s).

- 3.10 If the respondent(s) or recognized student group(s)/organization(s) accepts responsibility for the alleged violation(s), then the case will be considered resolved. The conduct advisor will then notify the accused party(ies) in writing via email of the outcome(s) of the complaint and any sanction(s) issued as a result. Notice via email will be sent to the respondent(s) or recognized student group(s) within five (5) institutional business days of the meeting's completion. In cases where multiple parties must meet with a conduct advisor in connection with a single complaint, completion of the investigation will be considered the *Informal Resolution Meeting* with the last respondent(s). Once a resolution is reached, the decision is final. Student Conduct will notify the complainant through email that a resolution has occurred but may be limited to providing additional details pursuant to its obligations under the Family Educational Rights and Privacy Act of 1974 (FERPA). Informal resolution decisions will be revisited only where new information becomes available that tends to demonstrate that a substantial error has occurred. In such a case, the respondent or the complainant may submit a written petition for reconsideration of the case to the Dean of Students. The decision of the Dean of Students regarding the reconsideration is final.
- 3.11 If an informal resolution cannot be determined, the complaint will be reviewed by the Dean of Students or designee. The case will be assigned to the Student Conduct Board for formal resolution or returned to the original conduct advisor(s) for consideration. The Student Conduct Board process is described in sections 4 and 7.
- 3.12 A respondent who selects to withdraw from the institution rather than participate in the conduct process will be classified in the student conduct files as having been withdrawn for disciplinary reasons. A student who withdraws under these circumstances is not permitted to enter any Thomas More University owned, operated, or controlled property(ies) nor participate in any classes or programs offered by Thomas More until the pending matter is fully resolved.
- 3.13 In accordance with FERPA, Thomas More may seek to notify parents or guardians of conduct issues involving non-dependent students as explained:
- a. In all emergency situations affecting a student's health or safety
  - b. After finding responsibility in all drug-related matters
  - c. After finding responsibility in repeated (more than one) alcohol offenses
  - d. After final consideration as determined by sanctions issued

#### ***Section 4: Student Conduct Board***

- 4.1 The Student Conduct Board is composed of administrators, staff, and/or faculty that have been selected by the Dean of Students. A minimum of three and a maximum of six representatives may serve on the board. In all cases involving a felony arrest, the complainant or the respondent may request that a non-Thomas More Student Conduct Board member is selected from the faculty, staff, or administration be appointed by Thomas More University's President. The individual who assumes the role of advisor to the Student Conduct Board shall be referred to herein as the conduct board chairperson. The chairperson is appointed solely by the Dean of Students.
- 4.2 The Student Conduct Board may hear any appeal case of the alleged violation(s) of the Code of Student Conduct filed against individual students, student groups, or cases of academic dishonesty. The Student Conduct Board may impose sanctions up to and including expulsion from Thomas More and may design educational sanctions. The Dean of Students will confirm the applicability of such sanction(s). In some instances, the Dean of Students may adjust the sanctions if it is in the best interest of the student(s) or the Thomas More community.
- 4.3 The Student Conduct Board may increase, or decrease sanctions, or keep the original sanctions previously determined. The Student Conduct Board considering the case may impose sanctions up to and including expulsion from the institution and may design educational sanctions as they see fit to a given case.
- 4.4 Decisions of the Student Conduct Board of the appeal are final when reviewed and confirmed by the Dean of Students.
- 4.5 The sanctions that the Student Conduct Board decides cannot be appealed.

## ***Section 5: Roles of Administration***

- 5.1 The Dean of Students is responsible for the coordination of support and advisory resources that are available to complainants and respondents involved in the student conduct process. The Dean of Students may guide parties to resources for on-campus counseling, procedural advice, or personal support, as necessary.
- 5.2 The Dean of Students directs all case resolution and data collection of the student conduct process, provides case management services, assigns conduct advisors, and provides training, advising, and educational programming to members of Thomas More University concerning the student conduct process. The Dean of Students and/or their designee administers the student conduct process, approves informal resolutions to conduct complaints, appoints Student Conduct Board members and chairpersons, confirms student conduct board decisions, advises, or arranges for legal advisement of the student conduct process consistent with the applicable laws and regulations.
- 5.3 The conduct advisors are professional staff members who educate complainants and accused students regarding student conduct process procedures; act as case managers in reaching informal resolutions of conduct complaints; and manage referrals to university and community resources designed to assist in fulfilling conduct sanctions. The conduct advisors will also offer follow-up support for students after resolving their conduct cases.
- 5.4 The Student Conduct Board chairperson is a professional staff member assigned to advise the Student Conduct Board. They will preside over the formal board hearing process to ensure that all policies and procedures are followed correctly. When a case is remanded to the Student Conduct Board, the assigned Student Conduct Board chairperson will also assume the role of conduct advisor to the complainant and the respondent. The Student Conduct Board chairperson will be a non-voting member of the board except in cases where a tie vote must be broken.

## ***Section 6: Interim Suspension & Other Administrative Actions***

- 6.1 The status of a respondent will not be changed while a case involving an alleged student conduct violation is pending against them, unless the Dean of Students, or their designee, in consultation with the Director of Campus Safety and the University Legal Counsel, determines that an interim suspension is required to promote the safety and well-being of the community, the involved parties, or other substantial university interests.
- 6.2 Where an interim suspension is imposed in a case involving the arrest of the respondent, Thomas More University may require the matter to be resolved in full prior to the student conduct process hearing the case. In circumstances where a criminal matter remains pending or in other unusual circumstances, including those described in section 6.3, students who seek to have their cases heard on the merits prior to any criminal proceeding may file a written request for a meeting with the Dean of Students who will act in the role of conduct advisor in deciding the case. Thomas More University reserves the right to conduct proceedings under the student conduct process prior to, simultaneously with, or following civil or criminal proceedings off campus.
- 6.3 The Dean of Students may grant authority to administrative designers to take specific administrative actions to promote the safety and well-being of members of the Thomas More community and to enforce other administrative policies.
  - a. The Director of Housing & Residence Life or their designee is permitted to respond on an emergency basis to behavioral incidents alleged to violate the Code of Student Conduct occurring within or otherwise impacting the safety of any housing on a temporary basis pending a fulfillment of specific conditions and/or review of the matter by the Student Conduct Process.
  - b. Any Thomas More personnel may advise the Dean of Students as to student use of illegal substances or abuse of any substance; student failure to produce proof of immunization; or any other student behavior in response to an emergency medical situation when release of information

is necessary to prevent serious risk of bodily harm or death. They may further recommend that the student's participation in an educational program and/or other intervention designed to respond to the student's or others needs should be required. A student who fails to attend and actively participate in the educational program and/or other intervention as required or who engages in behaviors that pose a significant health or safety risk to the student or others may be withdrawn from Thomas More University. This withdrawal will extend until the student demonstrates completion of an equivalent educational program and/or other intervention satisfactory to the Dean of Students. The Dean of Students will determine whether and under what conditions the student will be permitted to return to Thomas More University. The Dean of Students will efficiently notify and communicate this determination with all appropriate person(s).

In emergency medical or physiological circumstances, students may be removed immediately from Thomas More University pursuant to Section 14.

### ***Section 7: Rights of Complainants & Respondents***

- 7.1 Prior to a Student Conduct Board hearing, each party (i.e., the complainant(s) and respondent(s)) will be given written notice of the charges stating: the alleged facts upon which the charges are based, the sections of the Code of Student Conduct alleged to have been violated, the procedures to be used in resolving the charges, and the date, time, and location of the hearing. Thomas More University tries to deliver the notice at least three (3) university business days before the hearing. Notice will be considered complete when delivered to the student's university email account or in any other manner designed to give notice to the student.
- 7.2 Each party will be given an opportunity to be heard before an impartial Student Conduct Board or Conduct Advisor in a timely manner – usually within thirty (30) days of the filing of the written complaint. Attendance at board hearings is limited to the Student Conduct Board members and its Conduct Advisor and the parties immediately involved and their advisors. Witnesses are permitted access to the hearing room solely for the purpose of, and duration necessary to, provide testimony. Individuals not directly involved with the hearing in progress will not be permitted near the hearing room.
- 7.3 Each party may have the opportunity to face the opposing party and/or to ask questions indirectly through the Student Conduct Board. The Student Conduct Board can determine how and to what extent questioning of witnesses may occur.
- 7.4 The Student Conduct Board may be always advised by the Conduct Board Chairperson. No attorney will be permitted to participate in the hearing. Each party is permitted to have one (1) self-selected advisor present. The advisor must be a student, faculty member, or administrator at Thomas More University (*a staff or faculty member that holds a JD degree will not be permitted to attend or participate in the Student Conduct Board hearing*), or the student's parent or legal guardian. Advisors, when permitted to participate, are limited to the role of advising the student as described in Section 9.5. If an advisor fails to abide by Thomas More University policies, they will be removed from the proceedings and may be barred from acting as an advisor in future Student Conduct proceedings. In such circumstances, the student conduct board will decide whether to proceed with the hearing without the advisor or forward the case to the Dean of Students for resolution before a Conduct Board Advisor.
- 7.5 Each party will have the opportunity to present relevant testimony and/or evidence to the Student Conduct Board members on their behalf and the opportunity to respond to testimony or evidence presented by other parties. The Student Conduct Board Chairperson will determine the relevance of testimony.
- 7.6 An audio recording may be made of all board hearings involving violations of the Code of Student Conduct. This recording is the sole property of Thomas More University and is only permitted for review by appropriate Thomas More University officials as designated by the Dean of Students, and in accordance with FERPA.

- 7.7 The Student Conduct Board endeavors to submit written notice of its confirmed decision to each party within five (5) University business days after the hearing is concluded. The Student Conduct Board's notification to the complainant may be limited due to Thomas More University's compliance obligation under FERPA. A hearing is considered concluded at the point the Student Conduct Board's deliberations are complete.

### ***Section 8: Responsibilities of Complainants and Respondents***

- 8.1 Each party must appear at the hearing as specified. If either party fails to appear at the hearing, the Student Conduct Board may proceed and consider the case in the absence of the missing party/ies, dismiss the complaint, or reschedule the Student Conduct Board hearing, as the facts and circumstances of the case indicate.
- 8.2 Each party must act in a manner that is respectful of the proceedings and the rights of all individuals involved. It is the responsibility of each party to assure that their advisor, witnesses, and other affiliates act in a manner that is respectful of the proceedings and the rights of all individuals involved. The Student Conduct Board Chairperson shall retain the option to discontinue the Student Conduct Board hearing and forward the case for administrative resolution by the Dean of Students and/or their designee when the behavior of any person has become an encumbrance likely to have a detrimental impact on the outcome of the Student Conduct Board.
- 8.3 Each party must answer pertinent questions truthfully during the hearing or choose to remain silent. The Student Conduct Board may draw inferences from the statements and silence of any person with respect to the pertinent question. False testimony by any person may give rise to further disciplinary action or an enhancement of sanctions at the discretion of the Student Conduct Board members.
- 8.4 At the hearing each party must offer all information known or available to them that they desire to be considered. Each party is responsible for calling witnesses to testify on their behalf and for providing a list of potential witnesses, including witness names and whether a witness will testify to facts in issue or to the character of the offering party. This list must be submitted to the Student Conduct Board Chairperson at least 48 hours before the hearing. The Student Conduct Board Chairperson will make witness lists available to the opposing party. The Student Conduct Board Chairperson will have the discretion to limit the number of witnesses to be called by either party, taking into consideration the following guidelines:
- a. All fact witnesses will be heard, unless the Student Conduct Board Chairperson determines evidence is cumulative or irrelevant or would unnecessarily compromise the confidentiality of the Board hearing.
  - b. Each party will be limited to one character witness but may submit, in lieu of additional character testimony, one or more statements signed by other persons who must certify the truth of the statements.
  - c. Witnesses who have not been disclosed at least 48 hours (about 2 days) in advance will be heard only if the Student Conduct Board votes to allow their testimony.

### ***Section 9: Student Conduct Board Procedures***

- 9.1 The purpose of the hearing is to provide the opportunity for the complainant and respondent to present all relevant facts and other evidence regarding alleged violations of the Code of Student Conduct. It is the responsibility of the Thomas More University Student Conduct Board to consider impartially all relevant testimony and other relevant evidence, determine the facts, and impose appropriate sanctions. Decisions of the respective Student Conduct Board are subject to review and confirmation by the appropriate Thomas More University officials, as outlined in Section 4.
- 9.2 The Thomas More University Student Conduct Process is an internal, administrative process in which the rules of evidence used in criminal and civil proceedings do not apply. The standard of

- proof used to decide matters within the Thomas More University Student Conduct process is a preponderance of evidence as described in Section 3.4.
- 9.3 Thomas More University Student Conduct Process hearings are confidential and closed to persons not related to the case. The results of Thomas More University Student Conduct proceedings are confidential in accordance with applicable law. Thomas More University reserves the right to correct any misinformation about Thomas More University Student Conduct Process actions that may be circulated in the media when the community's well-being is required. Thomas More University will publish data related to the activities of Thomas More University's Student Conduct Process periodically consistent with constraints imposed by law.
- 9.4 The complainant(s), respondent(s), and Thomas More University, as represented by the respective Student Conduct Board Members, are the principal parties in Thomas More University Student Conduct proceedings. All parties, advisors, witnesses, and Student Conduct Board Members are expected to maintain the confidentiality of Thomas More University's Student Conduct Process proceedings.
- 9.5 Advisors, as defined in Section 7.4, have no standing in Thomas More University's Student Conduct proceedings, except to provide assistance to their respective parties in a quiet, non-disruptive manner. Advisors do not represent or speak for their respective parties, except at the request of the Student Conduct Board Chairperson.
- 9.6 Student Conduct Board Chairpersons appointed by the Dean of Students or their designee, will preside at each Board hearing. Student Conduct Board Chairpersons serve as the Conduct Advisor to students involved in the case.
- 9.7 The order of presentation at the Student Conduct Board hearing should follow the below format:
- a. Introductions and reading of the complaint/appeal by the Student Conduct Board Chairpersons;
  - b. Opening statements- confirmation of complaint by complainant;
  - c. Presentations of statements/evidence/witnesses by the complainant;
  - d. Presentation of statement/evidence/witnesses by the respondent;
  - e. Closing statement by the complainant; and
  - f. Closing statement by the respondent.
- In cases involving felony arrest, or in other appropriate circumstances as determined by the University, the order of presentation at the Student Conduct Board hearing may be changed at the discretion of the Student Conduct Board Chairperson.
- 9.8 Thomas More University Student Conduct Board members may ask questions at any time subject to limitations of relevance, as determined by the Chairperson. The parties may ask questions directly or indirectly through the Chairperson subject to reasonableness and relevance, as determined by the Chairperson.
- 9.9 Thomas More University Student Conduct Board decisions are made in private and by a majority vote of the board members. Decisions may be withheld pending further information gathering or as time constraints dictate. All Thomas More University Student Conduct Board decisions are subject to confirmation by the appropriate Thomas More University official.

## ***Section 10: Sanctions***

- 10.1 Thomas More University Student Conduct process sanctions are official actions of Thomas More University. Failure to comply with sanctions that are imposed by Thomas More University's Student Conduct process, or with specific conditions related to the safety and security of any persons or property while a case is pending, may result in a hold on the respondent's academic records, indefinite suspension or expulsion of the student or group from Thomas More University without benefit of further process.
- 10.2 The following sanctions, or any combination thereof, may be applied to any individual student, group of students, or recognized student groups, for violations of the Code of Student Conduct and/or related Thomas More University policies.

- a. **Warning** - In instances of less serious deviations from Thomas More University norms of conduct, the respondent may be formally warned of the possible consequences of continuing such behavior. No other specific action is required unless further misconduct occurs. Final warnings are issued when a pattern of violating the Code of Student Conduct has been established. A future violation may result in suspension from Thomas More University and/or Thomas More University housing.
- b. **Community Service** – Students will be required to complete a set number of community service hours with a Thomas More University department and/or external community organization.
- c. **Educational Intervention** - The primary goal of Thomas More University’s Student Conduct Process is education. The Student Conduct Board and Conduct Advisors may design sanctions that are specific to an individual case when it is determined that educational value may result, and the interests of the Thomas More University community are maintained. Examples of educational intervention sanctions include community service, alcohol/drug education, research tasks, intervention meetings, and written assignments.
- d. **Reflection Essay** – This sanction requires the student(s) to reflect on their actions and the ramifications of being a part of an incident. The student(s) will need to discuss their role in the incident, how it affects Thomas More University and their mission, and express their apologies.
- e. **Apology Letter** – Students will be asked to write “x” number of apology letters to any student, faculty, and/or staff member(s) that were severely affected by their actions. In the letter they are to discuss their role in the incident, their sincerest apology, and ask for forgiveness.
- f. **Residential Relocation** - This status indicates that a respondent is not eligible to live in and/or visit some of Thomas More University residential facilities. A residential relocation involves the reassignment of a student’s living unit within Housing & Residence Life and usually prohibits return to the residential area associated with the former living assignment.
- g. **Disciplinary Probation** -The sanction of disciplinary probation means that a respondent must prove themselves to be a responsible member of the Thomas More University community. Engaging in further violations during the disciplinary probationary period will result in more severe disciplinary action, such as disciplinary suspension or expulsion. The respondent or student group is permitted to remain enrolled at or retain recognition at Thomas More University under stated conditions, depending upon the nature of the violation and upon the potential learning value that may derive from specific restrictive measures.
- h. **Restitution (Personal & Institutional)** – This sanction requires repayment to Thomas More University and/or complainant for loss, damage, or injury resulting from a violation of the Code of Student Conduct. Restitution will take the form of monetary charges on the student’s account.
- i. **Restriction of Privileges** – For a designated period, the respondent may not participate in specified activities of Thomas More University and/or may have specific privileges revoked at the discretion of the Student Conduct Board or Conduct Advisor.
- j. **Persona-Non-Grata - Residence Halls** – During a time designated by the Conduct Advisor or Student Conduct Board, the respondent may not enter the residential corridor(s). The respondent is also restricted from any University activity or program that occurs within the residential corridor(s) of campus. The residential corridor(s) is the residential facilities and the lawns, parking spaces and roads, between the residence halls on Thomas More properties.



- k. **Persona-Non-Grata - Campus** – During a time designated by the Conduct Advisor or Student Conduct Board, the respondent is not permitted on Thomas More University property or at events on or off campus sponsored by Thomas More University. Thomas More University may permit or require enrollment solely in online courses.
- l. **Residential Suspension** - A residential suspension involves the respondent's removal from housing for a period of time specified by the Conduct Advisor or Student Conduct Board. Completion of specific conditions and any additional sanctions may be required for the respondent to return to housing. During the suspension period, the respondent will automatically be listed as *Persona-Non-Grata* from all residential facilities and the residential corridor(s).
- m. **Residential Expulsion** - A residential expulsion involves the permanent separation from all residential facilities at Thomas More University. The respondent may not reapply at any point for readmission to Thomas More University residential facilities and will automatically be listed permanently as *Persona-Non-Grata* from the residential facilities and corridor(s).
- n. **Interim Suspension** - This action by the Dean of Students, or their designer, is a temporary suspension from Thomas More University while a Student Conduct case is pending. An interim suspension may be broad and inclusive or may be restricted to a specific location and/or function and is based on the determination that the safety and wellbeing of the Thomas More community and/or specific person(s) are at risk.
- o. **Disciplinary Suspension** - This action results in the involuntary withdrawal from Thomas More University, or loss of "recognition" for a recognized student group, for a specific amount of time or until specific conditions have been met. A suspended student or student group is prohibited from any presence or activity on Thomas More University owned, operated, or controlled property and from participation in any class or program offered by Thomas More University. A respondent or student group placed on a status of suspension is permitted, after a prescribed period of separation, to submit a petition demonstrating their good citizenship in the time away from Thomas More University and potential for making positive contributions in the future. Individual student petitions are required to include: *a personal essay evidencing the learning the student has gained from the incident that led to the suspension; the manner in which the student has been occupied since their departure from Thomas More University; and, the specific commitments the student will make to contributing positively to the Thomas More community if offered the opportunity for readmission; documented evidence of the student's completion of substantial service to the community; documented evidence of gainful employment and/or completion of or documented evidence of completion of any special assignments identified by the Dean of Students at the time of or subsequent to the respondent's departure.*

This petition is reviewed by the Dean of Students who will determine whether and under what conditions a respondent may be permitted to return to Thomas More University in a future semester. Petitions on behalf of student groups will include elements specific to the type of student organization, as determined by the Dean of Students.

- p. **Disciplinary Expulsion** - This action is the permanent separation of the respondent, or student group, from Thomas More University, its programs, and facilities. It is the most severe disciplinary action that Thomas More University can impose. Expulsion prohibits the respondent from having any presence or activity on Thomas More University owned, operated, or controlled property/ies and from participation in any class or program offered by Thomas More University.
- 10.3 Standard sanctions have been adopted by Thomas More University to respond to specific violations of the Code of Student Conduct. Thomas More University seeks to provide meaningful consequences for violations of Thomas More University expectations and to ensure that students

are provided opportunities to access education, counseling, and support. Thomas More University's Amnesty Policy will be considered when the appropriate conditions are met (see page 23). Standard sanctions apply only to those offenses described in the Sanctioning Guidelines listed herein. Incidents falling within the Code of Student Conduct but not described in the Sanctioning Guidelines will be handled on a case-by-case basis considering all the circumstances. Other specific situations to which standard sanctions do not apply are as follows:

- a. Where a respondent or student organization is found to have engaged in multiple violations of the Code of Student Conduct in a single incident, rather than solely in the violation addressed by the standard sanction;
- b. Where a respondent or student organization is already on a conduct sanction status equal to or greater than the standard sanction for a subsequent offense;
- c. Where a specific incident presents exacerbating circumstances, an ongoing risk to the health and/or safety of persons or property, or other serious concerns; and/or
- d. Where the respondent or student organization is on current disciplinary probation, thus the violation may be subject to more severe sanctions consistent with stipulations issued by a previous Student Conduct Board or Conduct Advisor.

In these situations, the appropriate sanctions will be determined on a case-by-case basis considering all the circumstances. These situations will result in sanctions more than the standard sanction. The presence of substantial mitigating or other appropriate circumstances may result in the reduction of a standard sanction at the discretion of the Dean of Students or the Student Conduct Board.

SANCTION GUIDELINES			
CATEGORY	1 <sup>ST</sup> VIOLATION	2 <sup>ND</sup> VIOLATION	3 <sup>RD</sup> VIOLATION
Violation of the Alcohol Law or Alcohol Policy	Educational Intervention  Monetary fine(s)  Parent Notification*	Probation – 1 year from the date of occurrence  Educational Intervention  Monetary fine(s)  Parent Notification*	Suspension from housing for a minimum of 1 semester  Probation – remainder of academic career  Educational Intervention  Monetary fine(s)  Parent Notification*
Severe violation of the Alcohol Law or Alcohol Policy  Examples: Public Intoxication, Medical Transport due to Intoxication, Driving Under the Influence (DUI), Providing Alcohol to Students Under Age 21, or other alcohol-related behaviors as determined by the university.	Probation – 1 year from date of occurrence  Educational Intervention  10 hours Community Service  Monetary fine(s)  Parent Notification*	Probation – remainder of academic career  Substance Abuse Intervention  20 hours Community Service  Monetary fine(s)  Parent Notification*	Suspension from Housing and/or the University for a minimum of 1 academic year  Housing & Visitation Restrictions  Substance Abuse Training  Monetary fine(s)  Parent Notification*
Use or possession of marijuana or drug paraphernalia	Probation – 1 year from date of occurrence  Educational Intervention	Suspension from housing for a minimum of 1 semester	Suspension from the University for a minimum of 1 academic year  Expulsion from Housing

	10 hours Community Service  Monetary fine(s)  Parent Notification*	Probation – remainder of academic career  Substance Abuse Intervention  Monetary fine(s)  Parent Notification*	Substance Abuse Treatment  Monetary fine(s)  Parent Notification*
Possession of a large amount of marijuana, use or possession of other illegal drugs, or misuse of prescription drugs  Examples: narcotics, stimulants, depressants, hallucinogens, or other drugs as determined by the university.	Suspension from Housing & University for a minimum of 1 semester  Probation – remainder of academic career  Substance Abuse Intervention  Monetary fine(s)  Parent Notification*	Suspension from the University for a minimum of 1 academic year  Expulsion from Housing  Substance Abuse Treatment  Monetary fine(s)  Parent Notification*	Expulsion from the University  Monetary fine(s)  Parent Notification*

*\*Parental notifications may be made consistent with the University's compliance obligations under FERPA (Family Educational Rights and Privacy Act)*

SANCTION GUIDELINES			
CATEGORY	1 <sup>ST</sup> VIOLATION	2 <sup>ND</sup> VIOLATION	3 <sup>RD</sup> VIOLATION
Growth, manufacture and/or distribution of illegal drugs and/or controlled substances	Suspension from the University for a minimum of 1 academic year  Monetary fine(s)  Parent Notification*	Expulsion from the University  Monetary fine(s)  Parent Notification*	Monetary fine(s)  N/A
Violation of I.T. Usage Policy	2-day suspension from internet access from res. hall network  Educational Intervention  Monetary fine(s)  Parent Notification*	2-week suspension from res. hall network  Warning  Educational Intervention  Monetary fine(s)  Parent Notification*	1 month suspension from res. hall network  Warning  Educational Intervention  Monetary fine(s)  Parent Notification*
Possession and/or use of weapons on university property or at a university function	Suspension from the University for a minimum of 1 academic year  Monetary fine(s)  Parent Notification*	Expulsion from the University  Parent Notification*	Monetary fine(s)  N/A

Tampering with or false activation of fire safety equipment	Suspension from the University for a minimum of 1 academic year  Monetary fine(s)  Parent Notification*	Expulsion from the University  Parent Notification*	Monetary fine(s)  N/A
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\*Parental notifications may be made consistent with the University's compliance obligations under FERPA \*

A fourth alcohol violation for a student who is over 21 years old and not supplying to minor may result in suspension from housing and/or Thomas More University; *Persona Non Grata* (PNG) from housing and/or Thomas More University; Monetary fine(s); Educational Intervention; Parent Notification (where permitted by law).

A fourth marijuana possession violation may result in expulsion from Thomas More University. The Dean of Students Office reserves the right to notify any Thomas More University department with a legitimate educational interest about a student's conduct violations.

The Athletic department will be notified of any incident involving a student-athlete.

The appropriate department(s) and/or personnel will be notified of any incident involving an international student.

### ***Section 11: Appeals***

- 11.1 Decisions of the Thomas More University Student Conduct Board or Conduct Advisor(s) are effective immediately, unless a written request for an appeal is received by the Dean of Students Office within three (3) business days after the confirmed decision is made available. Written requests should include the basis for the appeal consistent with Section 11.2, and any evidence to support the request.
- 11.2 Appeals may be filed by any party involved in a conduct proceeding and must be based on one or more of the following:
  - a. New evidence not reasonably available at the time of the original Student Conduct Board hearing, the absence of which can be shown to have had a detrimental impact on the outcome of the Student Conduct Board hearing.
  - B. Procedural error that can be shown to be detrimental to the Student Conduct Board hearing's outcome.
  - c. Errors in the interpretation of university policy so substantial as to deny either party a fair Student Conduct Board hearing.
  - d. Grossly inappropriate sanction having no reasonable relationship to the charges.
- 11.3 The Dean of Students and/or their designee will determine whether the grounds for appeal have been satisfied and whether further process is necessary to resolve the appeal.
- 11.4 Findings of fact will be accepted as determined by the original Student Conduct Board or Conduct Advisor, unless the Dean of Students determines that the original Student Conduct Board acted in an arbitrary, capricious, or unfair manner.
- 11.5 The Dean of Students may interview any participant in an earlier proceeding, change the decision, increase, or decrease the sanction, or return the case to another Student Conduct Board for further proceedings. The decisions of the Dean of Students are final. Review and confirmation by the Dean of Students will be made within ten (10) University business days. Parties will be told of the outcome of appeals via email only upon confirmation by the Dean of Students and subject to Thomas More University's compliance obligations under FERPA.

## ***Section 12: Modification of Procedures***

- 12.1 Thomas More University reserves the right to modify its Student Conduct procedures and Appeal process, with written notice to the complainant and the respondent, when classes are not in session, during the summer session, when safety and security issues so demand, when special expertise is needed to ensure fairness, or in other circumstances where, in Thomas More University's sole discretion, the procedures described herein are deemed insufficient to meet the objectives of educating and protecting members of the Thomas More community.

## ***Section 13: Disciplinary Records***

- 13.1 Access to disciplinary records is provided in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended. Disciplinary records maintained by Thomas More University are retained for seven (7) years from the date of the most recent incident in the student's file or until one year *after* the student has graduated from Thomas More University, whichever is longer. Records of students suspended, expelled, prohibited from future enrollment, or withdrawn for disciplinary or medical reasons, are retained indefinitely.

## ***Section 14: Involuntary Medical Withdrawal***

- 14.1 Thomas More University reserves the right to withdraw a student temporarily from the institution for misconduct that has its basis in a psychological or medical condition. Such action of the Dean of Students, or their designee is not automatic, will be done with appropriate professional consultation, and will be subject to a case-by-case evaluation based on the specific facts and circumstances existing at the time, plus any available medical information and/or documentation. The student will be provided with written notice of the reason(s) for the withdrawal and an opportunity to be heard by the Dean of Students or their designer(s), in accordance with their direction.

### **Student Alcohol Policy**

#### ***Thomas More University Events with alcohol***

1. Students must always comply with Kentucky alcohol laws.
2. Possession, consumption or display of alcoholic beverages by students in classrooms or residential facilities is strictly prohibited.
3. Tailgating is subject to rules and standards set by Thomas More University's Tailgating procedures and regulations.
4. Public drunkenness or disorderly behavior while under the influence – regardless of age – is prohibited and may result in arrest and further discipline pursuant to the Code of Student Conduct.
5. Substantial quantities of alcoholic beverages or common source containers such as kegs are prohibited unless being used by a licensed vendor affiliated with a Thomas More University event.
6. Drinking games are prohibited on campus. Students may not possess paraphernalia or equipment for drinking games. The definition of drinking games includes but is not limited to any activity involving the consumption of alcohol which involves duress or encouragement related to the consumption of alcohol. Paraphernalia for easy alcohol consumption including beer bongs, funnels, or ice luges are prohibited.
7. All events – on or off-campus – associated with a recognized Thomas More University student club, organization, or team where alcohol will be present must be registered AND approved with the Office of Student Affairs.

- a. Alcohol should only be present through “BYOB” by legal age attendees (21+) or provided by a “third party” vendor licensed to serve alcohol and approved by Thomas More University.
  - b. Thomas More University reserves the right to assign responsibility for an event to a recognized student club, organization, or team where a reasonable observer would associate the event with the club, organization, or team.
  - c. Alcohol is strictly prohibited from all student club or organization events related to the recruitment, training/education, and initiation of new members.
  - d. Students or groups sponsoring formal or informal events off-campus are responsible for upholding Kentucky alcohol laws and any alcohol policies related to their affiliated national or international organizations.
8. Students must always comply with Kentucky alcohol laws.

Failure to abide by Kentucky alcohol laws could result in criminal charges or citations. Even if criminal justice authorities choose not to prosecute, Thomas More University reserves the right to pursue disciplinary action through the Student Conduct Process.

### **Student Drug Policy**

The use, possession, manufacture or distribution of narcotics and other controlled substances are strictly prohibited and considered contrary to the Code of Student Conduct. Any exception will only be for instances expressly permitted by federal law. Paraphernalia associated with using illegal substances is not allowed on Thomas More University property or at Thomas More University sponsored events. Hookah pipes and/or other legal smoking devices are prohibited in the residence halls. The misuse of legal and over the counter drugs is also prohibited—this includes the misuse of one’s own prescription medication and using a medication prescribed to another. Athletes should be aware that a positive drug test violates Thomas More University drug policy. Thomas More University encourages all members of the Thomas More community to be aware of the consequences of the use, possession or distribution of narcotics or other controlled substances. Individuals charged with use, misuse, possession, manufacture or distribution of narcotics or other prohibited substances can be disciplined under the Thomas More University Student Conduct Process and may be prosecuted under Kentucky criminal statutes. Even if the criminal justice authorities choose not to prosecute, Thomas More University reserves the right to pursue disciplinary action through the Student Conduct Process.

### **Alcohol and Drug Amnesty Policy**

The health and safety of our campus community is of paramount importance, and the University encourages its community members to help each other.

Amnesty from discipline related to alcohol and drug violations under Thomas More University’s Student Conduct Process will be granted to the student(s) for whom medical assistance is summoned and for those seeking assistance from emergency services personnel (e.g., Campus Safety, Resident Assistants, first responders) who serve in an emergency response capacity, provided the following conditions are met:

1. A student contacted emergency services personnel based on a reasonable belief that another individual needed immediate medical attention, which had not otherwise been sought, to prevent death or serious bodily injury.
2. The student seeking assistance provided their own name to the emergency services personnel; and
3. The student seeking assistance remained with the individual believed to need medical assistance until emergency services personnel arrived and the need for the concerned individual’s presence had ended.

To be clear, students who are directly involved in attending to the compromised student until help arrives will also be granted amnesty from Thomas More University action for drug and alcohol violations set forth in this Code of Student Conduct. Students involved in an incident for which amnesty is granted will be provided with appropriate educational or developmental interventions. The application of amnesty for any Code of Student Conduct violations is also contingent on the completion of any assigned programs or interventions within the designated time. Repeated requests for medical amnesty will be addressed on a case-by-case basis.

### **Medical Marijuana**

Although Kentucky legislation has legalized the use of medical marijuana starting January 1<sup>st</sup>, 2025, federal law continues to prohibit the manufacture, possession, distribution, sale, or use of marijuana. Furthermore, as a federal grant recipient, the university is subject to compliance with the Drug Free Communities and Schools Act, and the Drug Free Workplace Act. Accordingly, all forms of marijuana, including prescription medical marijuana, are prohibited on all Thomas More University property (whether owned or leased) and in connection with all Thomas More University programs.

Students certified for use of medical marijuana through the Kentucky Department of Health may submit a letter to the Dean of Students Office requesting release from the Thomas More University housing agreement.

### **Hazing Policy**

Thomas More University holds a zero-tolerance policy regarding hazing within the Thomas More community. This policy applies to each act conducted on or off-campus if such acts are deemed to constitute hazing under this policy or Kentucky law.

#### Definition:

Hazing is any reckless or intentional act that produces physical, mental, or emotional pain, discomfort, humiliation, embarrassment, or ridicule directed toward other students or groups that is expected or required of new and / or current members of a team, group, or organization. Permission or approval by the person(s) being hazed is never a defense to violations of this policy.

#### Sanctions:

In addition to criminal and civil penalties, students, teams, groups, or organizations found responsible for violating this policy will be sanctioned according to the Thomas More University Code of Student Conduct. Sanctions range from probation to expulsion for individual students and probation to permanent revocation of recognition for teams, groups, and/or organizations. These sanctions shall be in addition to any other sanction imposed for violation of any other Thomas More University rule to which the violator may be subject. Thomas More University reserves the right to publish reports of confirmed violations of hazing and communicate these to any parent organization operating on campus.

#### Amnesty:

Thomas More University promotes the safety and well-being of every member of its community. Therefore, Thomas More University will provide amnesty from Code of Student Conduct violations to a student who makes a best and first effort to seek emergency medical attention for any student(s) endangered by acts of hazing. Amnesty under this policy may not prevent civil, criminal, or parent organization penalties.

### **Tobacco Policy**

The use of all tobacco products is prohibited on all Thomas More University grounds and properties, including residential buildings, both indoors and out, and Thomas More University vehicles, owned or leased, always, by students, employees, contractors, and visitors.

No tobacco-related advertising or sponsorship shall be permitted on Thomas More University property, at Thomas More University sponsored events, or in publications produced by Thomas More University, except for advertising in a newspaper or magazine that is not produced by Thomas More University, and which is lawfully sold, bought, or distributed on Thomas More University property.

Anyone found in violation of this policy must stop using tobacco products or advertising them. Violations of this policy by students will be referred to Student Affairs. Violations by employees will be referred to Human Resources. Violations by contractors will be referred to the CFO. Visitors may be asked to leave campus.

### **Solicitation Policy**

Students, organizations, vendors, and other individuals who wish to sell or market items or services to students on campus must receive written permission in advance from the Dean of Students Office. Additionally, student organizations may not sponsor or arrange for sales or presentations by vendors without permission in advance from the Office of Student Engagement.

Approved solicitations are only permitted in designated campus locations. No form of solicitation is permitted in any Thomas More University residence hall. Any individual(s) attempting to solicit in the residence hall community will be escorted from the halls and/or the campus property immediately by Campus Safety. Campus residency does not exempt individuals from this policy.

Individual(s) not in compliance with this policy may be barred from future campus visits and cited for unauthorized trespass.

Members of the Thomas More community who encounter individual(s) conducting a solicitation of students may ask to view their written authorization. Contact Campus Safety immediately if there is a concern regarding the legitimacy and/or authorization of any individual, organization or vendor encountered on campus.

### **Title IX (Sex-based Discrimination or Misconduct)**

Thomas More University is committed to maintaining an environment that is free of sex-based discrimination and misconduct. Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities at universities/institutions receiving federal financial assistance. Title IX prohibits all forms of sex-based discrimination, including sexual harassment, sexual violence, and other forms of sexual misconduct.

Thomas More University's Policy on Sexual Misconduct and Relationship Violence addresses Misconduct and Relationship Violence. Any student, staff, or faculty member who has concerns regarding sex discrimination and/or sexual misconduct is encouraged to seek the assistance of the seek the assistance of the Title IX Coordinator, Noah Welte, at 859-344-3515 or [welten@thomasmore.edu](mailto:welten@thomasmore.edu). Please contact them if you:

- Wish to understand your options if you think you may have witnessed or been a victim of sex discrimination or sexual misconduct
- Become aware of a situation that may warrant a university investigation
- Need assistance in handling a situation in which you are indirectly affected
- Need guidance on possible informal remedies or administrative measures to alleviate a difficult situation.

### **Weapons Policy**



Thomas More University prohibits the use, possession, display or storage of any weapons, ammunition, explosive devices, or fireworks on university property or at university events. This includes Thomas More University housing, parking areas, and private vehicles parked or operated either on campus or at any off-campus facility owned, leased, or operated by Thomas More University except as authorized by KRS 527.020.

Participants of Thomas More University sanctioned sports and clubs may use weapons provided or approved by Thomas More University during the event. Storage of these weapons must be kept in a secure area with a Thomas More University official (e.g., Student Engagement or Athletics).

The use or possession of weapons, ammunition, explosive devices, or fireworks for academic or research purposes must be approved by the Chief Academic Officer.

\*An exception may be made when submitted in writing and approval is given by the Department of Campus Safety for specific timeframes and only when supervised by Thomas More University personnel (e.g. the use of dulled swords or a cap gun in a theater production).

### **Student Grievance Policy**

Students with a Grievance may file a formal Student Grievance through <https://hd22.thomasmore.edu/>, choosing the Help Topic of Student Grievance. Only grievances filed in this manner will be considered according to the procedures below. The grievance must be filed within 30 days after the date the student has been aggrieved.

Any student who files a grievance shall not be retaliated against by Thomas More University, its employees, or agents. Retaliation against a student for participating in the grievance process in good faith will not be tolerated and will subject the individual engaging in the retaliation to disciplinary or corrective action. Any complaints about retaliation may be reported to Human Resources.

#### *Procedures:*

It is Thomas More University's goal to investigate issues thoroughly as close to the initial point of contact as possible and to find solution to the grievances promptly in the best interests of all parties, recognizing the value of using this as an opportunity to continuously improve our services, programs and policies.

**Step 1 - Informal Resolution:** In many cases, disputes can be quickly and effectively resolved when addressed informally by talking with the individual(s) of the office directly connected with the grievance. Misunderstandings, miscommunications, and disagreements often can be resolved through such conversations. If speaking with the parties directly involved does not resolve the conflict, the student may wish to meet with the other person's supervisor, such as the chair of the relevant academic department or department manager.

**Step 2 - Grievance Filing:** If informal discussion does not resolve the disagreement, the student may file a Grievance. Because Thomas More University already has identified several mechanisms for dispute resolution (e.g. the Grade Appeal process), students who file a grievance may be redirected to established channels or the Dean of an academic college if these have not already been engaged. Students will be notified within five (5) business days via the ticket system/email if the Dean of Students has referred the grievance to another individual or if investigation will begin.

**Step 3 - Student Grievance Committee:** the Dean of Students will assemble a subgroup of the START Committee to address the grievance. This subgroup will be overseen by the Assistant Dean of Students and include two faculty, two staff, and one student. The subgroup will investigate the grievance to determine a solution. The resolution will be sent to the student via email generally within ten (10) business days of the initial filing.

**Step 4 - Dean of Students:** If the grievance is not resolved to the student's satisfaction, the student may, within five (5) business days of the resolution, request that the decision be reviewed by the Dean of Students via email. The decision of the Dean of Students, which will be submitted to the student within five business days of the request via email, will be final and cannot be appealed.