

PENGUINS

STUDENT HANDBOOK

YOUNGSTOWN STATE UNIVERSITY



2023-2024

Produced by the
DIVISION OF STUDENT AFFAIRS
and the
OFFICE OF THE DEAN OF STUDENTS

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YOUNGSTOWN STATE UNIVERSITY STUDENT HANDBOOK 2023-2024

This handbook is intended to convey information about university resources, policies, and procedures to our students. Students should also refer to other university documents like the Youngstown State University catalog, class schedules, or university officials for additional information. Updates and changes are made annually to the handbook. Anyone with suggestions for amending or changing any of the information in this handbook should make those suggestions in writing to the Division for Student Affairs or the Office of the Dean of Students. The contents of this handbook are not to be regarded as a contract between any student and Youngstown State University. The University reserves the right to change any of the policies, rules, regulations, and standards of conduct at any time, as required in the best interest of the University. The University also reserves the right to modify or discontinue any of the services, programs, or activities described in this handbook.

YOUNGSTOWN STATE UNIVERSITY MISSION, VISION, AND VALUES

Mission

Youngstown State University—an urban research university—emphasizes a creative, integrated approach to education, scholarship, and service. The University places students at its center; leads in the discovery, dissemination, and application of knowledge; advances civic, scientific, and technological development; and fosters collaboration to enrich the region and the world. The University:

- Creates diverse educational experiences that develop ethical, intellectually curious students who are invested in their communities;
- Provides access to a broad range of undergraduate programs;
- Offers graduate programs in selected areas of excellence, including those that meet the needs of the region;
- Supports economic development through applied learning and research;
- Integrates teaching and learning, scholarship, and civic engagement;
- Fosters understanding of diversity, sustainability, and global perspectives; and
- Advances the intellectual and cultural life of the city, region, and world.

Vision

Youngstown State University will become a national model for university-community engagement that enhances teaching and learning, student and faculty research, and community well-being. The University will expand its regionally focused mission to include national and international emphases, while working with other colleges and universities, business and industry, and the K-12 community to stimulate the economic, technological, and cultural rebirth of Ohio. This Vision will be supported by:

- Leading scholars and practitioners using multidisciplinary approaches to address societal challenges;
- Engagement of undergraduate and graduate students in research;
- Strategic development of undergraduate and graduate programs;
- Curricular and co-curricular integration of professional and liberal education, problem-solving, critical thinking, and communication skills;
- An emphasis on applied learning and community engagement; and
- Respect for the deep and rich diversity of the communities we serve.

Values

We—the faculty, staff, administrators, and students of Youngstown State University—hold the following values essential to achieving the University’s mission:

CENTRALITY OF STUDENTS

We are a student-centered institution committed to the education, development, well-being, and success of students of all ages and from all walks in life. In concert with our mission to help students grow intellectually, we strive to foster their personal, social, emotional, and career growth, as well as their capacities for lifelong learning, civic responsibility, and leadership.

EXCELLENCE AND INNOVATION

We value excellence and innovation inside the classroom and out. Thus, we strive to integrate curricular and co-curricular activities; to offer outstanding academic programs; to foster intellectual inquiry, exploration, and discovery; to transcend traditional boundaries; to apply and perfect knowledge; to encourage creativity; to provide effective tools, technologies, and facilities for learning; and to excel in research and scholarly activity, including the “scholarship of teaching and learning”—an area of research that explores how individuals teach and learn.

INTEGRITY/HUMAN DIGNITY

As a campus community, we expect all conduct to be rooted in integrity, mutual respect, and civility. We value ethical behavior in scholarly and other endeavors; believe in the dignity and worth of all people; strive to foster an appreciation of, and respect for, differences among the human race; and celebrate the diversity that enriches the University and the world.

COLLEGIALITY AND PUBLIC ENGAGEMENT

As scholar-citizens of many extended and interconnected communities, we pledge to work collegially and cooperatively to enrich the cultural environment; establish productive partnerships; provide responsible leadership; address community and workforce needs; foster sustainability; and bring about the greater good of the collective whole—be it the University, the city of Youngstown, the state of Ohio, the region, or beyond.

NON-DISCRIMINATION STATEMENT

Youngstown State University does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity and/or expression, disability, age, religion, or veteran/military status in its programs or activities. Please visit the [Digital Accessibility page](#) for contact information for persons designated to handle questions about this policy.

ACCREDITATION

Youngstown State University is accredited by the Higher Learning Commission and a member of the North Central Association of Colleges and Schools. The Association was founded in 1895 as a membership organization for educational institutions. It is committed to developing and maintaining high standards of excellence.

EMERGENCY SERVICES

Youngstown State University Police Department (YSUPD)

- **Location:** Clingan-Waddell Hall
- **Phone:** 330-941-3527 (non-emergency) or 911 (emergency)
- [Website for YSUPD](#)

COMPASS Family and Community Services

- **Location:** 535 Marmion Avenue, Youngstown, Ohio 44502
- **Phone:** 330-782-5664
- [Website for COMPASS Family and Community Services](#)

Mercy Health - St. Elizabeth Boardman Hospital

- **Location:** 8401 Market Street, Boardman, Ohio 44512
- **Phone:** 330-729-2929
- [Website for St. Elizabeth Boardman Hospital](#)

Mercy Health - St. Elizabeth Youngstown Hospital

- **Location:** 1044 Belmont Avenue, Youngstown, Ohio 44501
- **Phone:** 330-746-7211
- [Website for St. Elizabeth Youngstown Hospital](#)

Youngstown Fire Department

- **Phone:** 330-743-2141
- [Website for Youngstown Fire Department](#)

Youngstown Police Department

- **Phone:** 330-747-7911
- [Website for Youngstown Police Department](#)

LEADERSHIP: DIVISION OF STUDENT AFFAIRS AND OFFICE OF THE DEAN OF STUDENTS

- **Elaine Ruse**, Associate Vice President, Student Enrollment and Business Services (eruse@ysu.edu)
- **Joy Polkabila Byers**, Associate Vice President, Student Experience (jbyers@ysu.edu)
- **Dr. Nicole Kent-Strollo**, Dean of Students and Ombudsperson (nkentstrollo@ysu.edu)
- **Erin Driscoll**, Executive Director, Student Experience & Residence Life (eedriscoll@ysu.edu)
- **John Young**, Executive Director, Student Experience, Auxiliary Services, and Systems Management (jlyoung02@ysu.edu)
- **Erin Hungerman**, Assistant Dean of Students for Community Standards, Advocacy, and Conduct (elhungerman@ysu.edu)

CAMPUS SERVICES

Accessibility Services

Accessibility Services provides support to students with physical, medical, learning, hearing, visual and psychological disabilities. The office works in conjunction with students and faculty in the process to establish accommodations, services, and access to academic programs. Accessibility Services strives to create an accessible community where people are judged on their ability, not their disability. They are also committed to fostering a positive attitude toward individuals with disabilities.

- **Location:** 2082 Kilcawley Center
- **Phone:** 330-941-1372 (Office) or 866-757-1353 (Video)
- **Email:** accessibility@ysu.edu
- [Website for Accessibility Services](#)

Barnes and Noble Bookstore

Barnes and Noble is the official bookstore for Youngstown State University. Students can visit B&N for access to textbooks and YSU apparel, or to take a trip to the store's Starbucks.

- **Location:** 300 Fifth Avenue, Youngstown, Ohio 44502
- **Phone:** 330-318-3331
- [Website for Barnes and Noble Bookstore](#)

College of Graduate Studies

Graduate Studies faculty are highly qualified and successful on a national level in research and publications, while also remaining accessible to students in and out of the classroom. This balance provides graduate students with the professional and personal interaction needed to develop their potential, in addition to increasing career mobility. YSU's graduate programs offer the latest developments in research and technology and highly value professional development. Graduate programs are designed to provide student growth in both theory and practice, with field experiences available and encouraged. In addition, there are always opportunities to collaborate with faculty on research.

- **Location:** Coffelt Hall
- **Phone:** 330-941-3091
- **Email:** gradcollege@ysu.edu
- [Website for the College of Graduate Studies](#)

College Pads for On and Off Campus Housing

College Pads provides YSU students with an educational tool to prepare to review leases, compare on- and off-campus housing options, rent from high-rated landlords, find roommates, and sublet existing units. The site also offers a buy/sell/trade marketplace specifically for YSU students. This is a one-stop shop for housing at YSU.

- [Website for College Pads](#)

COMPASS Family and Community Services – Sojourner House and Rape Crisis & Counseling Center

The mission of Sojourner House Domestic Violence Services is to provide a comprehensive program of crisis intervention, counseling, advocacy and shelter for victims of domestic violence in Mahoning County. The Rape Crisis Center offers support groups for survivors/co-survivors of sexual assault and trauma, survivor services (counseling, judicial advocacy, case management, community outreach, family advocate, and a 24-hour hotline), and community education and prevention programs.

- **Location:** 3325 Cushwa Hall (inside the Office of the Dean of Students)
- **Phone:** 330-747-4040 (Sojourner House) and 330-782-3936 (Rape Crisis & Counseling Program)
- **Email:** info@COMPASSFamily.org.
- [Website for COMPASS Family and Community Services](#)

Comprehensive Testing Center

The Comprehensive Testing Center offers a variety of computer and paper-based tests, such as YSU's placement testing program, the ACT, ACT Residual, CLEP, DSST, GRE (subject only), LSAT, MAT, Praxis, and SAT exams. As an added service, the Comprehensive Testing Center also administers a variety of professional exam certifications through their professional test partners: Castleworldwide, Kryterion, PSI, Pearson and Prov.

- **Location:** 154 Maag Library
- **Phone:** 330-941-3175
- **Email:** testing@ysu.edu
- [Website for the Comprehensive Testing Center](#)

Department of Campus Recreation

The Department of Campus Recreation creates a recreational environment that is safe, inclusive, and accessible for users. Their commitment is to provide patrons of all races, ethnicities, genders, sexualities, abilities, religions, sizes, and ages with educational wellness experiences. In doing so, they aim to build and support the physical, mental and social well-being of the Penguin community.

- **Location:** Andrews Student Recreation and Wellness Center
- **Phone:** 330-941-3488
- **Email:** campusrec@ysu.edu
- [Website for the Department of Campus Recreation](#)
 - [Website for Campus Recreation General Policies](#)

Greek Life

Greek Life at YSU is vibrant with 10 chapters under three governing councils. Although each council has different focal points, operational structures, and history, there is always emphasis placed on community development, leadership and learning.

- **Location:** Student Activities Office, Kilcawley Center
- **Phone:** 330-941-3575
- **Email:** clanderson@ysu.edu
- [Website for Greek Life](#)

Guest Services and the YSU ID Office

Guest Services serves as the campus information center and provides directions and general information about the YSU campus and upcoming events. Guest Services also serves as the campus lost & found, registers students for campus locker rentals. The YSU ID Office, connected to Guest Services, sells campus meal plans and makes campus IDs.

- **Location:** Kilcawley Center, Second Floor
- **Phone:** 330-941-3571
- [Website for Guest Services and the YSU ID Office](#)

Information Technology Service Desk

The IT Service Desk serves as initial contact for over 15,000 students, faculty and staff, providing first level technical support for PCs (both Windows and Mac-based systems), software, printers, smart phones and tablets. They assist with installing academic software, configuring devices to connect to the YSU network, as well as resolving technology-related questions and problems to remove obstacles that impede academic progress on a first contact basis.

- **Location:** Kilcawley Center, First Floor
- **Phone:** 330-941-1595
- **Email:** servicedesk@ysu.edu
- [Website for the Information Technology Service Desk](#)

International Programs Office

The International Programs Office (IPO) is an integral part of the Division of Student Affairs and Institutional Effectiveness at YSU. IPO strives to serve as a focal point for the University's many international initiatives, including international exchange agreements, faculty international development, and matters of international policy. IPO is responsible for International Student and Scholar Programs, Study Abroad Programs, and the English Language Institute.

- **Location:** 1042 Jones Hall
- **Phone:** 330-941-2336
- **Email:** ipo@ysu.edu
- [Website for the International Programs Office](#)

Kilcawley Student Center

Kilcawley Center serves as Youngstown State University's student center. There, you can find several offices, including University Dining by Chartwells, Accessibility Services, Graphic Services, Student Activities, Student Counseling Services, Guest Services, the YSU ID Office, and the Information Technology Desk (IT Desk). The building also features several dining options, such as Jamba Juice, Chick-Fil-A, Dunkin Donuts, Hisso Sushi, the KC Food Court, Snack & Chill (Ice Cream Shop), Pete's Treats, Choolah, and Wendy's. Kilcawley Center is also home to The Cove, a recreation lounge, as well as meeting rooms and study spaces.

- **Phone:** 330-941-3571
- [Website for Kilcawley Center](#)

Language Learning Resource Center

Located in DeBartolo Hall, the Language Learning Resource Center (LLRC) is a state-of-the-art foreign language lab facility designed for both classroom use and individual study in second-language acquisition and the study of foreign languages, literatures, and cultures. Student assistants are hired to assist with various types of equipment and to tutor the languages taught at YSU.

- **Location:** 558 & 561 DeBartolo Hall
- **Phone:** 330-941-3465
- **E-mail:** ysullrc558@gmail.com
- [Website for LLRC Appointments \(via The Writing Center\)](#)

Maag Library

Maag Library provides comprehensive information services as well as access to information in print, analog, micro and digital formats. A professional staff provides in-depth assistance in a wide variety of disciplines. Maag Library is open for on-site use more than 80 hours per week during the term. Virtual access to library services, the on-line catalog, and direct digital information resources is available via MaagNet, providing constant access from home or office. Maag Library is a member of OhioLINK, a statewide library and information network linking the libraries of all of Ohio's public and private colleges and universities.

- **Phone:** 330-941-3678 (Circulation) | 330-941-3686 (Information Services)
- [Website for Maag Library](#)

Mathematics Achievement Center (MAC)

The Mathematics Achievement Center is an academic support service which is integrated with the Department of Mathematics & Statistics. Its mission is to assist YSU students in the strengthening of the fundamental mathematics skills which are necessary for success in the study of mathematics and to provide resource materials for independent study.

- **Location:** 408 Cafaro Hall
- **Phone:** 330-941-3274
- **Email:** mac@ysu.edu
- [Website for the Math Achievement Center](#)

Office of Career Exploration & Development

The Office of Career Exploration & Development supports student futures in preparation for work or further education in a diverse and technological world by enhancing alignment of student values, interests, personality, and strengths with choice of major and career. Programing and interventions empower students to explore diverse occupational fields and academic programs, while providing career development and professional preparation opportunities for job/internship seekers and alumni.

- **Location:** 2002 Jones Hall
- **Phone:** 330-941-3515
- **Email:** oced@ysu.edu
- [Website for the Office of Career Exploration & Development](#)

Office of Community Standards & Student Conduct

The Office of Community Standards & Student Conduct is committed to providing a process that promotes character, community, and civility among University students. In support of that focus, the process maintains policies and procedures committed to providing a fair, structured, timely, and educationally-based student conduct process. Furthermore, the office interprets and disseminates information about student conduct policies and procedures to all members of the University community.

- **Location:** 3325 Cushwa Hall (inside the Office of the Dean of Students)
- **Phone:** 330-941-4704
- **Email:** communitystandards@ysu.edu
- [Website for the Office of Community Standards & Student Conduct](#)

Office of the Dean of Students

The Office of the Dean of Students (DOS) provides support, education, guidance, and advocacy to all members of our campus community. In support of YSU's commitment to "place students at its center," this office is dedicated to ensuring that individuals have a centralized point of contact to discuss extenuating situations and concerns, specifically those related to mental and physical health, hospitalizations, food and housing insecurities, challenging family situations, issues with faculty or staff members, or any other barriers that may impede their success, while maintaining campus safety and fostering a culture of civility, character, and respect. The DOS team is comprised of professionals from critical areas that work together to assist students, including Student Counseling Services and the Office of Community Standards & Student Conduct.

- **Location:** 3325 Cushwa Hall
- **Phone:** 330-941-4721
- **Email:** dos@ysu.edu
- [Website for the Office of the Dean of Students](#)

Office of Diversity, Equity, and Inclusion

As a nation, we must focus on creating a more perfect union through the development of a better understanding of the diverse nature of our society. This premise lies at the heart of a joint university/community effort to recognize the human diversity that is our strength in the Mahoning Valley. The University must play a pivotal role if the community is to reach its fullest potential as a diverse society. Collaborative efforts are needed to create a sense of community where all citizens are equally valued and accepted. Each of us brings multiple identities to the organizations and communities of which we are a part, forming a mosaic that allows us to retain our individuality while contributing to collective purposes and achievements. YSU seeks to work in collaboration with the larger community of which it is a part to provide leadership in the attainment of these goals and to foster educational, economic, and social opportunity for all citizens of our community.

- **Location:** 1003 Jones Hall
- **Phone:** 330-941-3522
- **Email:** clbennett04@ysu.edu
- [Website for the Office of Diversity, Equity, and Inclusion](#)

Office of Equal Opportunity, Policy Development & Title IX

The Office of Equal Opportunity, Policy Development & Title IX supports Youngstown State University's commitment to promote human and intellectual diversity by fostering an inclusive environment for all members of the University community. The office also promotes university success by administering the University's Policy against discrimination/harassment, sexual misconduct, and retaliation. The Office of Equal Opportunity, Policy Development & Title IX oversees the University's compliance with federal and state laws, including Title VI, Title VII, Title IX and ADA, that prohibit discrimination and harassment based on race, sex, pregnancy, religion, color, age, national origin, veteran and/or military status, genetic information, disability, sexual orientation, gender identity or expression, marital status or parental status. The Office of Equal Opportunity, Policy Development & Title IX is the campus home of the university's Title IX Coordinator.

- **Location:** 312 Tod Hall
- **Phone:** 330-941-4629
- **Email:** dclantz@ysu.edu or titleix@ysu.edu (for Title IX-specific concerns)
- [Website for Equal Opportunity, Title IX & Policy Development](#)

Office of Financial Aid and Scholarships

The Office of Financial Aid and Scholarships is committed to helping students with the financial aid process. Every effort to communicate all available financial resources is made. One of our main objectives is to offer students and parents a complete financial aid package early to plan for college expenses.

- **Location:** 203 Meshel Hall
- **Phone:** 330-941-3505
- **Email:** ysufinaid@ysu.edu
- [Website for the Office of Financial Aid and Scholarships](#)

Office of Housing & Residence Life

The Office of Housing & Residence Life at Youngstown State University is your home away from home while you are on campus. Living on campus greatly enhances your YSU education and provides a fuller college experience. Whether you are an out-of-town or local student, you will find a residential campus community that fosters academic success and personal growth.

- **Location:** 131 Kilcawley House, The Offices of University Housing and the Division of Student Affairs
- **Phone:** 330-941-3547
- **Email:** housing@ysu.edu
- [Website for the Office of Housing & Residence Life](#)

Office of Veterans Affairs

The mission of the Office of Veterans Affairs is to assist active-duty service members, veterans, reservists, guardsmen, and qualified family members with Department of Veterans Affairs education benefits and services they have earned.

- **Location:** Nunziato Veterans Resource Center (633 Wick Avenue, Youngstown, Ohio, 44502)

- **Phone:** 330-941-2503
- **Email:** veterans@ysu.edu
- [Website for the Office of Veterans Affairs](#)

Parking Services

Parking Services staff is responsible for the maintenance of the lots and decks on campus, the issuance of permits and the enforcement of the rules and regulations adopted by the Board of Trustees. Services that they provide include jump-starting and unlocking vehicles, and the loan of lug wrenches and gas cans to motorists through their Motorist Assistance Program. Assistance is available only to vehicles legally parked on campus. They also have an air station located in the M30 parking deck.

- **Location:** Smith Hall (275 Fifth Avenue, Youngstown, Ohio 44555)
- **Phone:** 330-941-3546
- **Email:** parking@ysu.edu
- [Website for Parking Services](#)

Penguin Pantry

The Penguin Pantry is operated by the Office of the Dean of Students with the goal of serving our students by providing them with basic food and hygiene necessities.

- **Location:** 1405 Cushwa Hall
- **Phone:** 330-941-3443 or 330-941-4036
- **Email:** dos@ysu.edu
- [Website for the Penguin Pantry](#)

Penguin Service Center

The Penguin Service Center is a single place to receive essential information, find guidance, and resolve enrollment-related concerns in the areas of financial aid, records and registration, and student billing. The Penguin Service Center aims to significantly reduce the shuffle of being routed from office to office so instead of visiting several locations, they provide most services you need at one convenient location.

- **Location:** Meshel Hall, Second Floor
- **Phone:** 330-941-6000
- **Email:** onestop@ysu.edu
- [Website for the Penguin Service Center](#)

Reading and Study Skills Center (R&SS)

The Reading and Study Skills Center is an academic as well as a service-oriented division of the Department of Counseling, Special Education & School Psychology at Youngstown State University. The staff, instructors, and Peer Tutors in the Reading and Study Skills Center provide a variety of strategies for improving college reading and studying; encourage students to choose study techniques appropriate to their needs; help students understand that building reading and study skills provides high returns for their investment in study time; and help students improve performance in academic classes.

- **Location:** 154 Maag Library

- **Phone:** 330-941-3099
- **Email:** blrosler@ysu.edu
- [Website for the Reading and Study Skills Center](#)

Resch Center for Academic Success

The mission of the Resch Academic Success Center is to provide resources and support to promote the academic success of all YSU students. The Center promises to create a welcoming and judgement-free environment, help discover new ways to learn, foster opportunities to reflect on, and apply, what is learned, challenge active participation, provide opportunities to engage with other students, and support students in applying their education to reach their goals.

- **Location:** Kilcawley Center West (Next to Dunkin Donuts)
- **Phone:** 330-941-3538
- **Email:** rasc@ysu.edu
- [Website for the Resch Center for Academic Success](#)

Student Activities

Student Activities fosters a sense of belonging at Youngstown State University by creating inclusive campus programming and providing leadership development opportunities to enhance student success.

- **Location:** Kilcawley Center (next to The Cove)
- **Phone:** 330-941-3575
- **Email:** studentactivities@ysu.edu
- [Website for Student Activities](#)
 - [Website for Student Organization Policies](#)

Student Employment

Youngstown State University hires over 1,600 students every year to work in part-time jobs on campus, allowing students to earn while they learn. From office assistants, lab monitors, peer tutors, musicians, cashiers, research assistants, graphic artists, website designers, student groundskeepers, personal trainers, and more, the types of jobs available to our students vary widely. Work hours for on-campus jobs can be scheduled around your class schedule, making holding a job while pursuing a university degree less stressful. Also, as a student worker, you will be able to register early for classes, increasing your chances of getting the classes that work best for you. YSU uses Handshake, an online portal for student employment opportunities.

- **Location:** 3015 Jones Hall
- **Phone:** 330-941-4703
- **Email:** studentemployment@ysu.edu
- [Website for Handshake](#)
- [Website for Student Employment](#)

Student Security Services

Student Security Services, sponsored by the YSU Police Department, provides a free escort to YSU students and employees walking from one campus location to another, or walking to a campus location on the near North Side during the evening hours. The YSU Student Security Staff also help students and

staff with disabilities navigate the campus. The Student Security Staff are carefully selected from among student applicants and are trained by the YSU Police Department in First Aid, CPR, AED and to spot and report potential trouble or danger. They are linked by radio to the YSU Police Communications Center and make regular reports during their rounds.

- **Location:** Clingan-Waddell Hall (Youngstown State University Police Department)
- **Phone:** 330-941-3527 (non-emergency)
- **Email:** ysusecurityaides@ysu.edu
- [Website for Student Security Services](#)

Student Counseling Services

Student Counseling Services provides free, short-term counseling for currently enrolled YSU students; consultation and referral services for the YSU community; and outreach to promote appropriate mental health skills through community, accountability and mutual respect.

- **Location:** 2110 Kilcawley Center
- **Phone:** 330-941-3737 (after business hours, press 1 and follow prompts)
- [Website for Student Counseling Services](#)

Student Government Association

The purpose of the Student Government Association (SGA) is to further the best interests of the students of Youngstown State University through student representations in matters affecting student life and affairs, through promotion and supervision of student organizations and activities, and through promotion of improved community conditions.

- **Location:** 2218 Kilcawley Center (in the Student Activities Office)
- **Phone:** 330-941-3591
- **Email:** sga@ysu.edu
- [Website for the Student Government Association](#)

Student Media

Youngstown State University recognizes and supports the operation of student media organizations as important media for communication to the university and as training laboratories for students. Official student media organizations are: “The Jambar,” a student-operated newspaper; thejambar.com, a student operated news and information website; “JambarTV,” a student produced weekly news video production; “The Penguin Review,” a student literary magazine; “YO Magazine,” featuring the university, the city and the people of Youngstown; “Rookery Radio,” a student-operated internet radio station; “The Guin,” a digital yearbook; and “Penguin Rundown,” a student-run sports show.

- **Location:** Kilcawley Center, The Hub (near Dunkin Donuts)
- **Phone:** 330-941-3095
- [Website for Student Media](#)

Undergraduate Admissions

The Office of Undergraduate Admissions is the starting point for all students pursuing an undergraduate degree at Youngstown State University. Whether you are a first-time college student, earned college credits while in high school, are a transfer student, or an adult learner, we assist with the application

process and help you learn more about what YSU has to offer. The Office of Undergraduate Admissions processes applications and reviews both high school and college transcripts to determine a student's eligibility for admission. They also assist in the transfer credit evaluation process.

- **Location:** Sweeney Hall
- **Phone:** 330-941-2000
- **Email:** enroll@ysu.edu
- [Website for Undergraduate Admissions](#)

University Dining by Chartwells

University Dining by Chartwells is responsible for a variety of dining options on campus, including Christman Dining Commons, Chick-Fil-A, Hissho Sushi, Dunkin Donuts, Jamba Juice, and the KC Food Court. Members of the YSU community may order food for pick-up from using the Boost Ordering app.

- **Location:** Kilcawley Center, Second Floor (across from the Presidents Suite)
- **Phone:** 330-941-3391
- [Website for University Dining by Chartwells](#)

Wee Care Daycare and Learning Centre

Wee Care Day Care and Learning Centre is the official day care/preschool provider for all YSU affiliates. The Wee Care Day Care – Youngstown State University discount is available to all YSU faculty, staff, students and active alumni. Partnership discounts are based on household incomes above or below \$50,000. Scholarships for current students are also available. The YSU facility, located in Fedor Hall, is open from 5:00 AM to 11:30 PM to accommodate morning and evening classes.

- **Location:** Fedor Hall
- **Phone:** 330-941-2936
- **Email:** ysumgr@weecareohio.com
- [Website for Wee Care Daycare and Learning Centre](#)
- [Application for Wee Care Daycare and Learning Centre Scholarship \(2023-2023\)](#)

Wick Primary Care

Wick Primary Care, through Mercy Health, is YSU's student health center. Walk-in appointments are available, or appointments for service can be scheduled in advance. Health care is available for illness, injury, and routine health maintenance during fall and spring academic semesters and on a limited basis during summer and break weeks.

- **Location:** 330 Wick Avenue, Youngstown, Ohio 44503 (next to Chipotle)
- **Phone:** 330-747-4660
- [Website for Wick Primary Care](#)

The Writing Center

The goal of the Writing Center is to help clients become more independent, confident, and successful writers. The Writing Center staff includes faculty, graduate assistants or interns, undergraduates, and a full-time coordinator. Services include one-to-one feedback on any writing task, at any stage, for any course, as well as peer-group reviews, workshops, and access to instructional handouts. The services offered by the YSU Writing Center are free of charge to all registered YSU students.

- **Location:** 171 Maag Library
- **Phone:** 330-941-3055
- **Email:** wcenter@ysu.edu
- **Website for the Writing Center**
 - [Website for WCOOnline](#)

YSU App

The YSU APP provides students and the YSU Community with a place to stay informed of campus events, assist with navigating campus, and build community among students, as well as easy event and service check-in to assess campus engagement. The YSU APP offers students the following:

- Single sign-on capability with the app, using existing YSU email credentials
- Course listing viewable with building locations and directions
- Updated list of all campus events and programs
- List of resources and services on campus
- Buy, Sell, Trade Wall
- Quick access to contact YSU police
- Updated deals offered exclusively to YSU students

The YSU APP is a supplemental tool to communicate with students and the YSU community. It is not intended to replace official means of communication between the student and the university but can be used for reminders, updates of deadlines, and promotion of upcoming events.

- [Website for YSU App Guidelines](#)
- [Website to download YSU App](#)

ACADEMIC COLLEGES AND CONTACT INFORMATION

Beeghly College of Liberal Arts, Social Sciences, and Education

- **Dean:** Dr. Charles Howell – clhowell01@ysu.edu | 330-941-3409
- **Associate Dean:** Dr. Alan Tomhave – aetomhave@ysu.edu | 330-941-3447
- **Chairpersons:**
 - **Psychology Sciences and Counseling:**
 - Dr. Jeffrey Coldren – jtcoldren@ysu.edu | 330-941-1617/3257
 - **Humanities and Social Sciences:**
 - Dr. Loren Lease – lrelease@ysu.edu | 330-941-1686
 - **English and World Languages:**
 - Dr. Jeff Buchanan – jmbuchanan@ysu.edu | 330-941-3414
 - **Teacher Education and Leadership Studies:**
 - Dr. M. Kathleen Cripe – mlcripe@ysu.edu | 330-941-3517
- **Main Office Location:** 104 Debartolo Hall
- **Main Office Phone:** 330-941-3409
- [Website for Beeghly College of Liberal Arts, Social Sciences, and Education](#)

Bitonte College of Health and Human Services

- **Dean:** Dr. Jeffrey B. Allen – jballen03@ysu.edu | 330-941-3320
- **Associate Dean:** Dr. Sara Michaliszyn – sbmichaeliszyn@ysu.edu | 330-941-2116

- **Chairpersons:**
 - Criminal Justice and Consumer Sciences:
 - Dr. John M. Hazy – jmhazy@ysu.edu | 330-941-1789
 - Graduate Studies in Health & Rehabilitation Sciences:
 - Dr. Nancy Landgraff – nlandgraff@ysu.edu | 330-941-2703
 - Health Professions:
 - Mary Yacovone – mlyacovone@ysu.edu | 330-941-1764
 - Human Services:
 - Dr. Dana Davis – ddavis05@ysu.edu | 330-941-3774
 - Centofanti School of Nursing:
 - Dr. Sheila Blank – sblank@ysu.edu | 330-941-2174
 - ROTC/Military Science:
 - Maj. Lauren Meyer – lameyer@ysu.edu | 330-941-3805
- **Main Office Location:** 2104 Cushwa Hall
- **Main Office Phone:** 330-941-3321
- [Website for Bitonte College of Health and Human Services](#)

Cliffe College of Creative Arts

- **Dean:** Dr. Phyllis Paul – pmpaul@ysu.edu | 330-941-1376
- **Associate Dean:** Joy Christiansen Erb – jchristiansenerb@ysu.edu | 330-941-1397
- **Chairpersons:**
 - Dana School of Music:
 - Dr. Joseph Carucci – jwcarucci@ysu.edu | 330-941-3636
 - Department of Visual and Dramatic Arts:
 - Dr. Greg Moring – gkmoring@ysu.edu | 330-941-1864/3627
- **Main Office Location:** 2310 Bliss Hall
- **Main Office Phone:** 330-941-3625
- [Website for Cliffe College of Creative Arts](#)

College of Graduate Studies

- **Dean:** Dr. Salvatore Sanders – [sasanders@ysu.edu](mailto:sanders@ysu.edu) | 330-941-2324
- **Main Office Location:** 106 Coffelt Hall
- **Main Office Phone:** 330-941-3091
- **Email:** gradcollege@ysu.edu
- [Website for the College of Graduate Studies](#)

College of Science, Technology, Engineering, and Mathematics

- **Dean:** Dr. Wim F. A. Steelant – wfsteelant@ysu.edu | 330-941-3009
- **Associate Dean:** TBD
- **Chairpersons:**
 - Chemical and Biological Studies:
 - Dr. Timothy Wagner – trwagner@ysu.edu | 330-941-3662
 - Mathematics and Statistics:
 - Dr. Thomas Wakefield – tpwakefield@ysu.edu | 330-941-3302

- Physics, Astronomy, Geological, and Environmental Sciences:
 - Dr. Gregg Sturuss – wgsturuss@ysu.edu | 330-941-7113
- Rayen School of Engineering:
 - Dr. Frank Li – xli@ysu.edu | 330-941-2253
- School of Computer Science, Information, and Engineering Technology:
 - Dr. Abdu Arslanyilmaz – aarslanyilmaz@ysu.edu | 330-941-4625
- **Main Office Location:** 2200 Moser Hall
- **Main Office Phone:** 330-941-3009
- [Website for the College of Science, Technology, Engineering, and Mathematics](#)

Sokolov Honors College

- **Dean:** Dr. Amy L. Cossentino – alcossentino@ysu.edu | 330-941-4741
- **Director:** Mollie Hartup – mahartup@ysu.edu | 330-610-8932
- **Main Office Location:** Fok Hall
- **Main Office Phone:** 330-941-2772
- **Email:** honors@ysu.edu
- [Website for the Sokolov Honors College](#)

Williamson College of Business Administration

- **Dean:** Dr. Kelly Wilkinson – klwilkinson@ysu.edu | 330-941-2737
- **Associate Dean:** Dr. Christina Saenger – csaenger@ysu.edu | 330-941-7256
- **Chairpersons:**
 - Accounting & Finance:
 - Dr. Jeremy Schwartz – jtschwartz@ysu.edu | 330-941-3076
 - Communication:
 - Dr. Mary Beth Earnhardt – mearnhardt@ysu.edu | 330-941-2342
 - Management & Marketing:
 - Dr. Bruce Keillor – bdkeillor@ysu.edu | 330-941-1894
- **Main Office Location:** 3407 Williamson Hall
- **Main Office Phone:** 330-941-3064
- [Website for Williamson College of Business Administration](#)

REPORTING CONCERNS AT YSU

Academic Grievances

The Student Academic Grievance Procedure provides students with a formal channel through which complaints concerning academic matters may be heard. A student must attempt to resolve the complaint by first discussing the issue with the faculty member. If the complaint is not resolved at that level, the student should direct their complaint to the department chair and, if the complaint is still not resolved, then to the dean of the college. Complaints not resolved following a discussion with the dean will be considered by an associate provost or designee, who will serve as Judicial Chair. Upon their review, the Judicial Chair determines whether the complaint is grievable. If the complaint is grievable, it is presented to the Student Academic Grievance Subcommittee.

- [Website for Academic Grievance Information](#)
- [Website for Submitting Academic Grievances \(Including Grade Appeals\)](#)

Anonymous Hotline and Web Report

If you become aware of conduct that is not consistent with the University's standards, such as fraud, fiscal abuse, or noncompliance, you are encouraged to communicate your concern. This hotline, hosted by a third-party provider, EthicsPoint. Reports can be submitted anonymously.

- **Phone:** 844-208-1697
- [Website for Anonymous EthicsPoint Reporting](#)

Penguins of Concern

The Office of the Dean of Students, along with the YSU CARE (Concern – Assessment – Referral – Education) Team, address concerns that may negatively affect the campus learning environment or potentially harm the health, welfare and/or safety of members of the University community or the individual(s) exhibiting such behaviors. "Penguin of Concern" referrals are accepted from students, their families, faculty, staff, and the surrounding community with the goal of providing outreach, guidance, and assistance to students dealing with a variety of issues. Please note that in a crisis situation where there is an active or immediate risk of violence to self or others, YSUD should be contacted immediately.

- [Website for the Penguin of Concern Referral Form](#)

Report a Suspected Incident of Hazing

Victims or witnesses of hazing-related situations may not want to talk to anyone about their experience for a variety of reasons. However, it is important to ensure that the University has information regarding potential threats to the safety and well-being of students and campus. Using this form, you can submit an anonymous report, which will be sent to the Office of Student Activities and the Office of Community Standards & Student Conduct. Please note that the ability to act on anonymous reports is limited by the amount of information received.

- [Website to Report a Suspected Incident of Hazing](#)

Student Complaints

Youngstown State University is committed to the continuous improvement of the services it provides to its students. On occasion, a student may have a complaint regarding the fairness or quality of service they received. Students are encouraged to share their concerns pursuant to this policy so that the university may address issues in a timely and professional manner. If students experience a problem on campus, they are encouraged, but not required, to try resolving it by speaking directly with the staff, faculty member, or administrator with whom they have had an issue. If the problem still exists, the following resources are provided to aid a student in coming to a resolution:

- [Website for Submitting Non-Academic and Academic-Related Complaints \(Excluding Grade Appeals\)](#)

Student Complaints Related to Campus Free Speech

The Youngstown State University Board of Trustees passed a Resolution regarding [campus free speech](#) on June 23, 2022, adopting the public policy of the state of Ohio set out in Ohio Revised Code

3345.0215(B). Students, student groups, and faculty may submit a complaint about an alleged violation to the Campus Free Speech policy. Complaints must be filed within one year of the date of the action causing the complaint. Grounds for submitting a complaint include "unlawful, unreasonable, or arbitrary limitations on expressive activity" and/or "harassment as a result of another's expressive activities." Individuals who submit a complaint will receive a confirmation e-mail indicating that their complaint has been received and forwarded to the appropriate authority for investigation and follow-up.

- [Website for Submitted Complaints Related to Campus Free Speech](#)

Student Conduct Reporting Form

The Student Conduct Reporting Form is used by faculty, staff, students, and student employees to report alleged violations of University policy by students. Once submitted, the report will be reviewed by the Office of Community Standards & Student Conduct. If additional details are needed, a staff member may contact you.

- [Website for the Student Conduct Reporting Form](#)

Title IX Reporting Forms

Under a federal law referred to as "Title IX," YSU is responsible for responding to any reports of discrimination or harassment made on the basis of one's sex or gender. This includes, but is not limited to: sexual harassment, sexual assault, stalking, relationship violence, gender discrimination, and pregnancy discrimination. If you feel that you or someone you know at YSU has been subjected to sex or gender discrimination or harassment, use this form to submit your report to the Title IX office. Reports go to the Title IX Coordinator (TIXC). If you are submitting this report on behalf of someone else, the TIXC will reach out to you about their next steps prior to contacting the affected person. If you are submitting this report on your own behalf, you should receive contact from the TIXC within one business day. The TIXC will try to schedule a meeting with you to discuss your rights and options under Title IX, including through both, either, or neither the university and legal (court) system. The Title IX Coordinator can also work with you to identify any reasonable accommodations that may be available to you as a result of this report.

- [Website for the Standard Title IX Reporting Form](#)
- [Website for the Anonymous Title IX Reporting Form](#)

Youngstown State University Police Department (YSUPD)

The YSU Police Department employs commissioned officers with full police powers provided by the Ohio Revised Code. All officers have graduated and are certified by Ohio Peace Officer Training Academy. In addition, these officers are routinely trained to upgrade their skills, knowledge and abilities. All are trained in emergency medical procedures, first aid, and CPR. YSU police officers are armed and trained annually in the use of firearms. On foot, in vehicles, and utilizing alternative means of transportation they patrol the campus and residence halls twenty-four hours a day. Their efforts are coordinated with local law enforcement officials and the Ohio State Patrol and Ohio State Bureau of Criminal Investigation and Identification to enforce Ohio and local laws on campus, as well as University rules and regulations, and investigate crimes. Routinely, the department reports criminal incidents to the appropriate police agency outside University jurisdiction to facilitate the needs of our University Community.

- **Location:** Clingan-Waddell Hall

- **Phone:** 330-941-3527 (non-emergency) or 911 (emergency)
- [Website for YSUPD's Confidential Tip Form](#)

COMMUNICATION OF CANCELLATION OF CLASSES & UNIVERSITY CLOSINGS

Youngstown State University is open year-round except for designated holidays. The university will remain open and classes held unless there is clear and substantiated evidence to warrant otherwise, i.e., extreme weather. Generally, such actions fall under two categories – University Closings and Cancellation of Classes.

- **University Closings:** the university is closed. Classes are cancelled. Employees should not report to work, except for essential emergency personnel. All buildings, except residence halls and the dining facilities that support those halls, will be closed.
- **Cancellation of Classes:** classes are cancelled, but the University remains open. Employees should report to work.

The authority to close the University and/or cancel classes rests first with the President, and then with the Provost, the Vice President for Finance and Operations, and the Executive Director of Facilities. Calls should not be made to the Youngstown State University Police Department to verify a University closing.

While the goal is to have as many people as possible on campus when the University is open, the University realizes that some students and employees live a significant distance from campus. Consequently, individuals are not expected to place themselves in a dangerous situation to get to campus. Employees and students are encouraged to use their best judgment in deciding whether it is safe to drive when confronted with severe weather.

The primary factor considered when deciding if the campus should remain open is the safety of students, faculty, staff and visitors. After consulting a variety of sources and assessing weather conditions and forecasts, if the University determines that there is a significant threat to the safety of the campus community, the University will act immediately and appropriately. Youngstown State University rarely closes for low temperatures alone. When the University closes, those services are withheld. Youngstown State University is committed to providing those services to students if conditions do not present an undue threat to the campus community.

Among the several tools Youngstown State University may use to communicate to students and employees in the event of a University closing or class cancellation:

- Penguin Alert text messages and/or e-mails; you must sign up to receive these important messages. To sign up, visit the [Penguin Alert Webpage](#).
- By phone on the Youngstown State University Emergency Information Line: 330-941-2222
- On the [Youngstown State University Homepage](#)
- Social media via [Facebook](#) and [Twitter](#)
- Radio and TV: closing information will be provided to major radio and television stations across the Youngstown region (note that WYSU-FM 88.5 is the official radio source regarding information about University operations)

WITHDRAWAL PROCESS

To withdraw from a single course, or from all courses (complete withdrawal), it is necessary to access the registration functions online via the MyYSU Portal - Registration. It is the student's responsibility to confirm that the withdrawal was correctly processed, and the course(s) is (are) deleted. Nonattendance of class, or notification to the instructor or department does not constitute official withdrawal. For information about reduction or refund of fees and charges, please contact the Penguin Service Center at 330-941-6000.

Withdrawal from a Course Instructions:

1. Sign in to the [MyYSU portal](#)
2. On the left-hand side (under "e-Services for Students"), click on "Registration."
3. Select the appropriate term; click submit.
4. Click "Registration" and "Change of Registration."
5. Select "Web Drop" from drop down menu under "Action" column for each course.
6. Submit Changes at the bottom of the page.

Withdrawal from All Courses Instructions:

A student who wishes to withdraw from all courses for a particular term must access the registration system on the MyYSU Portal, or come to the Office of the Registrar (Meshel Hall). A complete withdrawal may be executed before classes or after the term starts through the last day to withdraw with a "W." Please consult the academic calendar or the MyYSU Portal for deadlines.

1. Sign in to the [MyYSU portal](#)
2. On the left-hand side (under "e-Services for Students"), Click on "Registration."
3. Select the appropriate term; click submit.
4. Click "Registration" and "Change of Registration."
5. Select "Web Drop" from drop down menu under "Action" column for each course.
6. "Submit Changes" at the bottom of the page.
7. During weeks 3 - 9 of the semester, you will notice this error message:
"WARNING: Your withdrawal cannot be completed because your account has a minimum hours restriction" which can be from one or more of the following reasons:
 - Student who utilizes financial aid: Submit the Complete Withdrawal Exit Survey; meet with a Financial Aid Counselor as soon as possible; web-drop classes again after completing the survey and meeting with the counselor
 - Student who does not utilize financial aid: submit the Complete Withdrawal Exit Survey; web-drop classes again after completing the survey
 - Student athlete: see athletic academic advisor
8. Click on "HERE" for the link to the survey. It will bring you to the "Answer a Survey" page; click on "Complete."
9. Answer each question, clicking on "Next Question" to submit your responses. Once you answer the last question, you will be able to click "Survey Complete." You will receive an email that verifies your completion of the survey and reminds you to go back in to the "Add or Drop Classes" section of the registration system to completely withdraw as soon as possible.
10. Now that your survey is submitted, go back through steps one through six to submit your complete withdrawal.

Eligibility for Future Registration:

1. A new applicant who withdraws from all courses prior to the first day of the term will not receive notice for future registrations unless the person requests that the Office of Admissions (Sweeney Hall) defer their application to a future term.
2. A former Youngstown State University student who withdraws from all courses prior to the first day of the term will not receive notice for future registrations unless the person requests that the Record's Office (Jones Hall) defer their application to a future term.
3. A current undergraduate student withdrawing on or after the first day of the term will receive notice of future registrations for one academic year.

Please note: All notification will take place via the [MyYSU Portal](#).

Military Withdrawal

Any student who is called involuntarily to active duty should follow the guidelines below. If a student must leave immediately, they may authorize another person to act on their behalf. A letter signed by the student or a power of attorney is required. The Office of the Registrar will accept a faxed or mailed request to withdraw. To send the request, please see the information below.

“Call-up” requests are handled by the Office of the Registrar. Contact Tysa Egleton, University Registrar, at 330-941-2264. A copy of the mobilization order must be presented to the Office of the Registrar.

Requests can be faxed to 330-941-2266 or sent via mail to:

Office of the Registrar
Youngstown State University
One University Plaza
Youngstown, OH 44555

Any student who must leave abruptly will be given every consideration upon their return. A “call-up” student who withdraws from the semester will receive “W” grades. Upon receipt of their mobilization order, they will receive a 100% refund of tuition and a prorated refund for housing and food. Eligibility for Incomplete Grades (“I”) is governed by the policy language in the University Catalog.

For additional information or assistance, visit the [Office of Veterans Affairs website](#).

VOLUNTARY/INVOLUNTARY MEDICAL LEAVE/WITHDRAWAL PROCESS

Medical Leave/Withdrawal is available for all students (undergraduate and graduate-level) with a documented physical or mental health-related condition of a serious nature that requires them to leave the University mid-semester, without completing their coursework, after the last day to withdraw with a grade of “W,” and/or after reporting an incident to the [Title IX Office](#). Students whose grades have been negatively affected due to a medical condition that occurred during a previous semester may qualify for a Retroactive Medical Withdrawal.

The intention of this policy is to allow students time to focus on their health. Therefore, students, in general, should intend to withdraw from all semester coursework to be eligible for Medical Leave/Withdrawal. Those requesting withdrawal from less than their full course load (due to a medical

reason), with appropriate rationale, will be considered on a case-by-case basis. **If a student wishes to withdraw from any or all courses after the [last day to withdraw with a grade of "W"](#) for non-medical reasons (i.e. military service, job transfer, shift change imposed by the employer that creates a direct conflict with the class schedule, or death in the family), they must contact their academic advisor and obtain approval from the [Dean of their College](#) by submitting a [Petition for Late Withdrawal](#).**

Please Note: After two (2) consecutive semesters on Medical Leave, a student who does not take appropriate steps to return to the University will be deemed officially separated from the institution. Approved Medical Leave/Withdrawal **does not** guarantee students the ability to return to the University without approval from the Dean of Students (or designee). See “Returning from Medical Leave” for more information.

Medical Leave/Withdrawal is intended to assist students academically. It does not necessarily grant or guarantee a refund for tuition or fees, nor does it release students from other financial obligations, such as off-campus leases, etc. We strongly recommended contacting the [Office of Financial Aid and Scholarships](#) at ysufinaid@ysu.edu or 330-941-3505 and the [University Bursar](#) at accounts@ysu.edu or 330-941-2343 to discuss how an approved Medical Leave/Withdrawal may impact you.

Students who have been found responsible for violation(s) of The Student Code of Conduct and expelled or suspended from the University are not eligible for Medical Leave/Withdrawal for the semester(s) in which the violation(s) occurred.

VOLUNTARY MEDICAL LEAVE/WITHDRAWAL PROCESS

Requests for Medical Leave/Withdrawal are processed by the Medical Withdrawal Review Committee and approved/denied by the Dean of Students (or designee). The Committee is comprised of the Director of Student Counseling Services, Associate Director for Accessibility Services, Associate Vice President for Student Experience, Assistant Dean of Students for Community Standards, Advocacy, and Conduct, and Dean of Students Case Manager(s). **Completed requests for Medical Leave/Withdrawal must be submitted no later than the last day of regular classes of the semester from which the student wishes to withdraw (i.e. Friday before Finals Week).**

The Dean of Students (or designee) **does not** have the authority to retroactively withdraw students from previously-completed semesters. However, in order to protect students' privacy, the Medical Withdrawal Review Committee reviews medical documentation and recommends approval or denial of students' requests for Late Withdrawal to the Dean of the College in which they are/were enrolled. Students should visit the [Application for Retroactive Medical Withdrawal \(Previous Semester/s\)](#) for additional information on the Retroactive Medical Withdrawal process.

Students are encouraged to discuss medical and/or mental health-related concerns with a licensed care provider as soon as it becomes apparent that their health is preventing them from successfully completing their coursework. This serves both the best interests of the student and the University. For a Medical Leave/Withdrawal request to be considered, students must provide medical documentation from a licensed care provider, with whom they have an established provider-patient/client relationship (except in Title IX-related cases). Students may contact [Wick Primary Care](#) and/or [Student Counseling Services](#) to establish care, or consult a licensed care provider of their choosing. **Documentation may be attached to the student's [Request for Medical Leave/Withdrawal \(Current Semester\)](#), delivered to the**

Office of the Dean of Students (Cushwa Hall 3325) or submitted via e-mail (dos@ysu.edu), fax (330-941-2715), or U.S. Mail. If sending by U.S. Mail, please address using the following information:

*c/o Dr. Nicole Kent-Strollo, Dean of Students
Office of the Dean of Students/ Cushwa Hall 3325
Youngstown State University | One University Plaza | Youngstown, OH 44555*

Supporting medical documentation should include the following:

- Care provider's name on office letterhead
- Brief letter identifying the student as a patient or client
- Date of onset of condition(s)
- Dates of care
- General nature/symptoms of the student's condition(s)
- Impact of the condition on the student's academics
- Most recent date student was able to attend classes
- Length of time student will require Medical Leave (up to two consecutive semesters)
- **Please DO NOT include detailed medical records with your request!**

Upon receipt of the aforementioned information, the Medical Withdrawal Review Committee will review and verify the documentation. The Committee reserves the right to discuss documents and request authentication from the University's currently-contracted health center, as necessary. After documentation has been validated, the Dean of Students (or designee) will approve or deny the Medical Leave/Withdrawal request. Once **approved**, the following steps will occur:

- The Dean of Students (or designee) will notify the student, the [Office of the Registrar](#), [University Bursar](#), [Office of Financial Aid and Scholarships](#), the student's [College Dean](#), and appropriate departmental academic advisor that Medical Leave/Withdrawal was approved, or that Retroactive Medical Withdrawal was recommended for approval (the Dean of the College must then initiate/submit a [Petition for Late Withdrawal](#)).
- The Office of the Registrar will adjust the student's transcript to reflect a grade of "W" for all semester courses. Grades of "W" do not affect GPA or a student's academic standing.
- The University Bursar will audit the student's account and bill for any outstanding fees. The audit may take up to 30 days to conclude. If the student has no active balance, or has a credit on their account, they will receive a statement containing this information. Students who are approved for Medical Leave/Withdrawal may receive a reduction of tuition fees in proportion to the number of weeks attended, in accordance with the effective withdrawal date established by the University Bursar.
- If the student lives in University housing, the Dean of Students (or designee) will notify the [Office of Housing & Residence Life](#) of their Medical Leave/Withdrawal. The student is individually responsible for scheduling a time to vacate their space and return room keys.
- If the student receives veteran's benefits, is an international student on a visa, or is an NCAA athlete on scholarship, the student must independently notify the appropriate office(s) to avoid disruption to aid, additional benefits, or eligibility.
- If the student is a dependent, the Dean of Students (or designee) does not notify their parents/guardians of the Medical Leave/Withdrawal, unless the student [authorizes them](#) to receive this specific information as proxies.

The decision of the Dean of Students (or designee) is final. However, additional supporting documentation will be considered if received by the last day of regular classes of the current semester (i.e. Friday before Finals Week). Students may also submit future applications, as appropriate, due to change(s) in circumstances. For Retroactive Medical Withdrawals, applicable components of the aforementioned process occur **after/if** the request is approved by the Dean of the student's College.

INVOLUNTARY MEDICAL LEAVE/WITHDRAWAL

In order to provide a safe environment in support of the University's mission, a student may be required to take Involuntary Medical Leave/Withdrawal when their behavior, relative to their condition, is incompatible with community standards. Requiring a student to take a leave of absence is rare and only considered when no reasonable accommodations can adequately reduce the risk(s) described below. The Dean of Students (or designee) will review information and consult with the University's [CARE Team](#), Medical Withdrawal Review Committee, and/or others with knowledge of the situation, on a case-by-case basis, as appropriate. The Dean of Students (or designee) will issue a written notice to the student that an Involuntary Medical Leave/Withdrawal is under consideration.

Students may be considered for Involuntary Medical Leave/Withdrawal when:

- Objective evidence suggests a significant risk to the student's health or safety and/or the health or safety of others, including, but not limited to, significant risk of suicide, persistent self-harm, and/or homicidal intentions.
- The student's physical/psychological condition requires specialized services unavailable at the University or locally.
- The student's behavior severely disrupts the University environment, causing significant emotional and/or physical distress to other students, staff, and/or faculty in the classroom, campus community, or within the living learning community. Such disruption may stem from a single incident or a pattern of ongoing behavior.
- The student has not complied with previously-established assessment and/or treatment plans required by University officials. Failure to follow these plans of action increases the likelihood that a student's behavior progresses toward long-term impairment and inability to function as a successful student at the University.

A student may appeal the decision for Involuntary Medical Leave/Withdrawal in writing to the appropriate authority within the Office of Academic Affairs within five (5) business days of notice of the Involuntary Medical Leave/Withdrawal. The Vice Provost or designee (other than the Dean of Students) will review the appeal and provide a decision in writing within eight (8) business days of receipt. While this is the final level of appeal, the appellate authority has the discretion to alter or extend the return date on a case-by-case basis. During the appeals process, the University reserves the right to initiate or uphold interim measures (i.e. removal from University housing, etc.).

RETURNING FROM MEDICAL LEAVE

Students on Medical Leave are not regarded as having permanently separated from the University and are not required to apply for readmission unless the leave period exceeds two (2) consecutive semesters. Upon departure from the University, a medical leave hold will be placed and remain on a student's account, prohibiting them from registering for courses. **For this hold to be removed, a student must provide the following information (detailed below) for review. This documentation should be**

received at least 60 days in advance of the semester during which the student wishes to return and can be submitted using the University's [Application for Re-Entry Following Medical Leave](#), delivered to the Office of the Dean of Students (Cushwa 3325) or submitted via e-mail (dos@ysu.edu), fax (330-941-2715), or U.S. Mail. If sending by U.S. Mail, please address using the following information:

*c/o Dr. Nicole Kent-Strollo, Dean of Students
Office of the Dean of Students/ Cushwa Hall 3325
Youngstown State University | One University Plaza | Youngstown, OH 44555*

A student requesting to return from Medical Leave must:

- (On office letterhead) Have a licensed care provider (with whom you have an established provider-patient/client relationship) provide a specific diagnosis and a detailed report that discusses the nature of the medical or mental health-related condition, outlines the major symptoms of the condition, and indicates how the condition affects you in the University environment.
- Have a licensed care provider (with whom you have an established provider-patient/client relationship) establish and outline a treatment plan, including necessary medications and any substantial side effects that could impair your ability to return to campus. Any recommended accommodations should be included in the report, if long-term disability exists. You must provide this plan to the Office of the Dean of Students.
- Sign a release of information allowing the Dean of Students (or designee), Director of Student Counseling Services (if reason for leave is related to a mental health condition), and Dean of Students Case Manager(s) to communicate with the licensed care provider to determine readiness to return to the University.
- Provide proof of progress toward or completion of active recommendations from the licensed care provider.
- Complete any required student conduct sanctions stemming from prior behavioral incidents, if applicable.

After receiving the aforementioned information, the Dean of Students (or designee) consults with the Medical Withdrawal Review Committee to determine if re-entry requirements have been satisfied and decides if a student is ready to return to campus. If approved, the student must agree to meet with the Dean of Students, Dean of Students Case Manager(s), and/or other appropriate designee, for regular check-in meetings, as requested. The decision of the Dean of Students (or designee) is final; however, additional supporting documentation will be considered, if received within the 60-day timeframe prior to the desired semester of return.

An update regarding the student's request for Re-Entry Following Medical Leave/Withdrawal and requirements for return will be sent to the student and forwarded (via e-mail) to the following offices: [Office of the Registrar](#), [University Bursar](#), [Office of Financial Aid and Scholarships](#), [Office of Housing & Residence Life](#) (if appropriate), the student's [College Dean](#), and appropriate departmental academic advisor.

STUDENT ACADEMIC GRIEVANCE PROCEDURE

Youngstown State University strives to resolve graduate and undergraduate student grievances as they arise. For grievances that cannot be resolved by consultation, a formal process to assure faculty and student actions are evaluated fairly and thoroughly is contained within this document. Any student or group of students that believe there has been a material breach of faculty contractual obligations to the detriment of the individual student or the entire class is entitled to file a grievance using the Academic Grievance Form submitted to the Office of the Provost. The process, outlined below, has been designed to recognize a student's right to due process in a fair and equitable manner

1. Introduction

- a. This document applies to students taking courses in pursuit of an associate, bachelor, or graduate degree, and/or other students taking courses for undergraduate and graduate credit. Grievances filed concerning academic matters must conform to the process described in this section.
- b. Grievances filed concerning academic matters must conform to the process described in this document.
- c. The Academic Grievance Committee, an appointed chartered committee of the Academic Senate, is the sole body responsible for adjudicating grievances concerning academic matters. Any grievances concerning academic matters filed and adjudicated by bodies or processes not specified in this section are null and void. Graduate Council has approved incorporating the previous Graduate Grievance Procedure into this Grievance Process.

2. Academic Grievance Committee Structure

This committee is drawn from the same committee as the Academic Integrity Hearing Panel as discussed in the Student Code of Conduct, with the exception of the graduate college student and faculty representatives.

- a) Judicial Chair: Associate Provost for Academic Administration or designee appointed by the Provost.
- b) Faculty members are appointed by the Academic Senate and serve a two (2) year term. One (1) faculty member shall be selected from each of the six (6) colleges. At least three (3) of these appointees will have graduate faculty status. In addition, Graduate Council will appoint six (6) graduate faculty members, preferably representing each of the six (6) Colleges, for hearings involving graduate students and graduate faculty members.
- c) In consultation with one another, the Student Government Association and the Dean of Students shall appoint student committee members who shall serve a two (2) year term. This appointment shall be based upon the criteria established below. These appointments are subject to approval by the Senate Executive Committee.
 1. Students must complete an application available at the Student Affairs office.
 2. One (1) undergraduate is selected from each of the six (6) Colleges.

- a. Students must have a minimum GPA of 2.5
 - b. Students must not have a previous judicial record.
 - c. Students should be sophomore status or above.
3. In addition, six (6) graduate students (preferably one from each college) will be appointed by the Graduate Council to hear cases involving graduate students and graduate faculty members. These students must be in good standing without a previous judicial record.

3. Academic matters that may be grieved

- a) Per the YSU–OEA Agreement, Article 19, academic matters that may be grieved are the following:
 1. Material deviation from the instructor’s policy on sanctions for academic dishonest, as indicated on the course syllabus, to the detriment of the individual student, or in disputed cases of academic dishonesty.
 2. Material breach of faculty contractual obligations as specified in the article on Teaching Rights and Responsibilities in the Faculty Collective Bargaining Agreement, to the detriment of the individual student or the entire class.
 3. Material deviation from the grading scale, grading criteria, assignment specifications, or grade weight distribution indicated on the course syllabus or other course materials, to the detriment of the individual student or the entire class.
- b) Other areas of contention between a student and a faculty member may not be grieved under this section. The student should contact the department chair of the faculty member’s department or the dean of the college housing the faculty member’s department for further advisement in these situations.

4. Overview of the grievance process

- a) Depending upon the disposition of the grievance, there are three possible phases of the grievance process.
 1. Pre-Grievance hearing activities
 2. Grievance hearing
 3. Appeal
- b) Agreement may be reached between the student and the faculty member at any time during the process. The Judicial Chair may also intervene as they see fit to mediate an agreement. Any resulting agreement ends the grievance. A summary of this agreement should be put in writing and distributed to the student, faculty, chair, and Dean of the appropriate Department and College. In cases involving graduate students and faculty members, the Dean of Graduate Studies will be notified.

5. Phase One: Pre-Grievance hearing activities

- a) Upon discovery of an event the student wishes to grieve, the student must first attempt to resolve the conflict through discussion with the faculty member.
- b) If the matter is not resolved from any such student/faculty member discussion, the student must then initiate discussion with the department chair.
 1. If after five working days (working days are defined as Monday through Friday not including Holidays) the department chair fails to respond to University email correspondence initiated by the student requesting a conference, the student may seek consultation by the dean of the faculty member's college.
- c) If the matter is not resolved from the student/chair discussion, the student must then initiate discussion with the dean of the college in which the faculty member's department is housed. This discussion with the dean is to occur as soon as possible after the student's discussion with the department chair in order to meet the time deadline discussed in item four (4) immediately below.
 1. If after five working days the college dean fails to respond to University email correspondence initiated by the student requesting a conference, the student may then submit a written statement as outlined in section 4, immediately below.
- d) If the matter is not settled following these discussions, the student may then submit a written statement describing the complaint on the standard Grievance Form, available from the Office of the Provost, second floor in Tod Hall. This completed form must be submitted to the Office of the Provost no later than 5:00 PM the fourth Friday in the semester following the incident, even if the student has graduated. Specifically, the Grievance Form for incidents occurring in fall semester must be filed no later than 5:00 PM of the fourth Friday of the subsequent spring semester; the Grievance Form for incidents occurring in spring or summer semesters must be filed no later than 5:00 PM of the fourth Friday of the subsequent fall semester.
- e) The Associate Provost for Academic Administration, or designated Judicial Chair, will assess the grievability of the complaint within fifteen University working days of receipt of the Grievance Form.
 1. While assessing grievability, the Judicial Chair will have access to the written documents provided by the student and submitted through the Provost's office. In addition, the Judicial Chair must confirm with the instructor, departmental chairperson, and dean that the student has in fact met or has documented evidence of attempting to meet with each party. Furthermore, the Judicial Chair should discuss the grievance with the instructor, chair, and dean either separately or together. The Judicial Chair shall attempt to mediate a resolution to the matter. If no resolution is possible then one of the following will occur:
 - a. If after thorough examination of the complaint, it is assessed as non-grievable, the student is informed in writing by the Judicial Chair and the matter is closed.
 - b. If the complaint is assessed as grievable, the Judicial Chair initiates Phase Two of the grievance process below.

6. Phase Two: Grievance hearing

- a) Within five University working days of initiating Phase Two of the grievance process, the Judicial Chair shall distribute copies of the completed grievance form to the student, faculty member, department chair, and appropriate dean.
- b) Within five university working days of receiving the completed grievance, the faculty member, department chair, and dean must return their responses regarding the student(s) claim(s) to the Judicial Chair via University email. All of these documents together constitute the Grievance Packet.
- c) The Judicial Chair shall email the completed Grievance Packet to the entire Student Academic Grievance Subcommittee, the student, faculty member, department chair, and dean within two University working days of receipt of all responses. In addition, at this point a hearing date, time, and place will be established by the Judicial Chair. All affected parties will be notified so as to afford the parties an opportunity to be present. The Grievance Hearing notice shall be sent to the student, faculty, chair and dean using university email. If the faculty member cannot or refuses to participate in the hearing, the faculty member's department chair shall provide a substitute who will exercise all the rights and responsibilities of the absent faculty member.
- d) Parties directly involved in the grievance procedure:
 1. The parties directly involved in the grievance procedure are as follows:
 - a. Student/Faculty: The party who files the grievance and the party against whom the grievance is filed. At the discretion of the Judicial Chair, grievances involving multiple students can be handled individually or as a group.
 - b. Department Chair: The chairperson of the department in which the faculty member resides. The chair is permitted to speak only about how they came to the decision to support or not support the involved parties. They will be brought in to speak during the grievance hearing, but will not remain in the room throughout the hearing. Attendance of the chairperson is strongly encouraged.
 - c. Dean: The dean of the college in which the faculty member's department is housed. In addition, the Dean of Graduate Studies has the option to attend in cases that involve graduate students and faculty members. The Dean is permitted to speak only about how they came to the decision to support or not support the involved parties. They will be brought in to speak during the grievance hearing, but will not remain in the room throughout the hearing. Attendance of the dean is strongly encouraged.
 - d. Grievance Hearing Panel. Derived from the membership of the Academic Grievance Committee. At minimum, it consists of three faculty members (in grievances involving graduate matters, only graduate faculty will be appointed), three undergraduate students (in grievances involving graduate matters, graduate students will be appointed), and the Judicial Chair. This panel conducts the formal hearing and renders a decision about the grievance.

- e. Advisors: The student and the faculty member may avail themselves of the services of an advisor throughout the grievance process. Such an advisor maybe drawn from within or outside the university community. Advisors may not present testimony or speak on behalf of the grievant. They are permitted, however, to give notes or whisper instructions/advice to the student or faculty member involved. Examples of advisors include a parent, attorney, clergy, other faculty member, coach, etc.
- f. Witness(es): Witnesses who have something to add to the hearing either in support of the faculty member or student are permitted. While the number of witnesses is not limited, the number who will present repetitive testimony is limited to two witnesses.

e) Grievance hearing principles and procedures

1. No member of a Grievance Hearing Panel will hear a case directly affecting them.
2. The Judicial Chair must be made aware of all parties planning on attending the grievance hearing a minimum of 24 hours prior to the scheduled hearing. This should be done via university email to the Judicial Chair and include the name(s) of any and all witness(es), advisors, chair/dean/faculty/students, attending.
3. Prior to the hearing, the Grievance Hearing Panel members shall have a minimum of five working days to review all written materials in the Grievance Packet submitted by the affected parties.
4. During the hearing, the following rights are guaranteed to the student and the faculty member: the right to be present; the right to be accompanied by an advisor of their choice; the right to speak in support of their argument; the right to bring witnesses in support of their case; the right to present information directly supporting their written items in the Grievance Packet, including oral testimony; and the right to refute information presented.
5. With the exception of advisors and the Grievance Hearing Panel, all parties listed above can be queried by any member of the grievance procedure regarding testimony.
6. The Judicial Chair has the right to limit the amount of time testimony is presented by any given individual; remove disruptive individuals from the room; ensure that only the members of the Grievance Hearing Panel, student, and faculty member are present in the room; ensure that all witnesses remain outside the hearing room and are brought in and dismissed after their testimony is presented.
7. After hearing both sides, the Grievance Hearing Panel shall meet in closed session to review the information presented and reach a decision. The panel shall vote using closed ballots tallied by the Judicial Chair. The Judicial Chair will only vote in circumstances of a tie vote among the panel.
8. Matters within the hearing are bound by the Family Educational Rights and Privacy Act (FERPA) and, as such, all discussions regarding the hearing should be treated with discretion.
9. An audio recording of all proceedings will be made.

f) Documentation of Grievance Hearing Panel's decision

1. A written statement of the Grievance Hearing Panel's decision shall be prepared and signed by the Judicial Chair
2. This written statement of the Grievance Hearing Panel's decision shall be forwarded to the members of the Grievance Hearing Panel, student, faculty member, department chair, dean, (including the Dean of Graduate Studies for matters involving graduate students and/or graduate faculty) and provost within three University working days of the Grievance Hearing Panel's decision.
3. The forwarding of the written statement of the Grievance Hearing Panel's decision ends the Student Academic Grievance Subcommittee's involvement in the disposition of the grievance.
4. A file of all pertinent documents from all grievances shall be kept by the Office of the Provost.
5. At the discretion of the Judicial Chair, the time lines stated under Phase One and Phase Two may be extended due to extenuating circumstances.
6. If the Grievance Hearing Panel's decision results in a change in the grade that is not acceptable to the faculty member, chairperson, or dean, the faculty member is still required to complete the grade change form. If the faculty member, chairperson, or dean refuses to sign the form, the provost shall sign the document.
7. If a student files an academic grievance against a faculty member and the grievance has been adjudicated against the faculty member, the written statement of the Grievance Hearing Panel's decision shall be forwarded to the faculty member's official personnel file with the names of the students redacted, unless otherwise signed off by the students, in accordance with Article 16 of the Collective Bargaining Agreement.

g) Possible Actions

1. The Grievance Hearing Panel may decide and enforce any of the following options:
 - a. Change the student's grade on the item being grieved (i.e., particular paper, final grade, etc.) by either lowering or raising the grade
 - b. Enforce a withdraw grade for the class (late or otherwise)
 - c. Enforce university or program suspensions or expulsions
 - d. Enforce appropriate remedies regarding academic matters
2. What the Grievance Hearing Panel cannot decide or enforce:
 - a. Tuition refunds from the University

- b. Firing or authorizing disciplinary action against any faculty member (part-time or otherwise). The panel can, however, recommend disciplinary action.
- c. Attendance of the provost or president of the university at any panel hearings

7. Phase Three: Appeal

- a) A written appeal of the Grievance Hearing Panel's decision is possible if there were procedural violations. If the student or faculty member alleges one or more violations of the procedures leading up to and including the Grievance Hearing, they may file a written appeal. Group grievances are appealed by a group only and not by individuals.
- b) Such an appeal shall be filed at the Office of the Provost within five university working days of receipt of the written notification of the Grievance Hearing Panel's decision.
- c) The Office of the Provost shall forward the written appeal to the Judicial Chair within five university working days.
- d) Appeals will be reviewed by the Senate Executive Committee within fifteen University working days of receipt by the Judicial Chair. Such appeals are not heard as original cases and may be concluded on the basis of the written information provided. This panel shall rule only on whether procedural violations occurred.
 - 1. If the Senate Executive Committee rules that no procedural violations occurred or that any procedural violations were minor and did not affect the Grievance Hearing Panel's decision, the decision of the Grievance Hearing Panel is upheld and the matter is ruled closed.
 - 2. If the Senate Executive Committee rules that procedural violations occurred and were substantive, the case will be reviewed by the Senate Executive Committee. Within fifteen university working days of the Senate Executive Committee's finding of procedural violations, a quorum of the full Senate Executive Committee shall undertake a full examination of the case. The decision reached by the Senate Executive Committee is final and may not be appealed.
- e) Appeal Hearing
 - 1. No member of the Senate Executive Committee will hear a case directly affecting them.
 - 2. Prior to the hearing, members of the Senate Executive Committee shall review all materials of the Appeal Packet.
 - 3. Only information contained in the Grievance Packet and any materials submitted as part of the appeal shall be considered.
 - 4. The chair of the Appeal Panel shall inform both parties of the decision as soon as reasonably possible.
 - 5. A written statement of the decision shall be prepared and signed by the chair of the Appeal Panel, forwarded via university email to the student, faculty member, department chair, dean, Judicial Chair and the Provost within five working days of the decision.

6. A file of all pertinent documents from all grievances and appeals shall be kept by the Office of the Provost as allowed by the Collective Bargaining Agreement.
7. The decision reached by the Appeal Panel is final and may not be appealed.
8. At the discretion of the chair of the Appeal Panel, the timelines under 7b through 7d above may be extended.

THE STUDENT CODE OF CONDUCT

3356-8-01.1 “The Student Code of Conduct.”

Responsible Division/Office:	Student Affairs/Dean of Students
Responsible Officer:	Dean of Students and Ombudsperson
Revision History:	March 1998; December 2010; June 2016; September 2017; September 2020; June 2021
Board Committee:	Academic Excellence and Student Success
Effective Date:	June 3, 2021
Next Review:	2026

(A) Policy statement/preamble.

Youngstown state university (“YSU”) is a student-centered institution committed to the education, development, well-being, and success of students of all ages and from all walks in life. In concert with our mission to help students grow intellectually, we strive to foster their personal, social, emotional, and career growth, as well as their capacities for lifelong learning, civic responsibility, and leadership.

As a campus community, we expect all conduct to be rooted in integrity, mutual respect, and civility. We value ethical behavior in scholarly and other endeavors, believe in the dignity and worth of all people, strive to foster an appreciation of, and respect for, differences among the human race, and celebrate the diversity that enriches the university and the world. As a member of a higher education community, students have an obligation to conduct themselves in a manner that is compatible with the university’s purposes as an institution of higher education. Each student is expected to be fully acquainted with all published policies, procedures, and regulations of the university and is held responsible for compliance with them. All members of the university community are expected to assume responsibility for creating an environment conducive to the educational mission and purpose of the university.

The policies and regulations in “The Student Code of Conduct” have been established to ensure a positive educational experience for every student. “The Student Code of Conduct” serves as an official university document that outlines conditions and regulations considered essential to the effective functioning of the university.

The student conduct process at Youngstown state university adheres to procedural due process and is intended to be part of the educational process at the university. This student conduct process provides a forum for the impartial and expedient resolution of alleged misconduct in the university community and encourages students to live responsibly and be accountable for their actions. The student conduct process is based on the university's commitment to developing integrity, respect, and responsibility among all students.

(B) Article I. Rights and responsibilities.

- (1) Basic rights. The following enumeration of basic rights shall not be construed to deny or disparage other rights and privileges retained by students in their capacity as members of the student body or as citizens of the community at large:
 - (a) The right of free inquiry, expression, and/or assembly.
 - (b) The right to pursue educational goals and appropriate opportunities for learning in the classroom, on campus, and online.
 - (c) The right to be secure in their persons, living quarters, papers, and effects against unreasonable searches and seizures.
 - (d) The right to retain ownership of class projects/assignments authored by a student and submitted to fulfill requirements of a course, except as provided by section 3345.14 of the Revised Code.
- (2) Basic responsibilities. Students, as members of the university community, shall have the following responsibilities which are inherent in the basic rights delineated in this paragraph:
 - (a) To maintain standards of academic performance as established by their faculty.
 - (b) To be responsible for acting in such a manner as to ensure other students the basic rights enumerated in this policy.
 - (c) To be responsible for their actions with respect to, and to follow, all university regulations and policies.
 - (d) To be responsible for their actions with respect to provisions of local, state, and federal law.
 - (e) To conduct themselves in a manner which helps to create and maintain a learning atmosphere in which the rights, dignity, and worth of every individual in the university community are respected.
 - (f) To have in their possession a valid university identification card when on university premises.

- (g) To be responsible for adhering to the university policy 3356-7-20, “Drug-free environment” (rule 3356-7-20 of the Administrative Code).
- (h) To ensure adherence to all university board of trustees’ policies that apply to students.

(C) **Article II. Student conduct authority.**

The president has delegated the authority for the university student conduct system to the dean of students and ombudsperson (hereinafter referred to as the dean of students). The dean of students, or designee, serves as the student conduct administrator responsible for the administration and operation of “The Student Code of Conduct” and the student conduct process. Members of the university seeking formal disciplinary action for alleged student misconduct should make referrals to the office of community standards and student conduct.

The student conduct administrator shall determine the composition of student conduct bodies and appellate hearing panels.

The student conduct administrator shall develop policies for the administration of the student conduct system and procedural rules for the conduct of hearings that are consistent with provisions of “The Student Code of Conduct.” The student conduct officer shall be the assistant dean of students for community standards, advocacy, and conduct (hereinafter referred to as the assistant dean of students). The student conduct administrator may also appoint one or more deputy conduct officers to review reports of violations of “The Student Code of Conduct” and to conduct investigations. Deputy conduct officers shall be under the supervision of the student conduct officer and/or the student conduct administrator.

(1) **Jurisdiction of “The Student Code of Conduct.”**

- (a) “The Student Code of Conduct” shall apply to conduct which adversely affects the university community or interferes with the pursuit of its mission or educational objectives and programs whether it occurs on university premises, at university sponsored activities, or on non-university premises. It is important to note that a student and/or group/organization will be subject to the university student conduct process where the conduct has occurred on non-university premises when the conduct adversely affects the university community or interferes with the pursuit of its mission or educational objectives and programs.
- (b) Students shall be responsible for their conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if the conduct is not discovered until after a degree is awarded). “The Student Code of Conduct” shall apply to a student’s conduct even if the student withdraws from the university while an investigation into alleged misconduct is pending.
- (c) An incident which results in a charge under “The Student Code of Conduct” may also lead to a proceeding outside of the university for a violation of local, state, or federal law. In these instances, university proceedings are not subject to

challenge based on concurrent criminal or civil proceedings or that such proceeding has been or will be dismissed, reduced, withdrawn, resolved, or settled. The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws. In all cases, hearings within the university will be held according to the student conduct procedures set forth in this policy. Since the university student conduct process is educational in nature and differing judgements may result between university action and outside legal action, the university, in its sole discretion, may pursue student conduct action and impose sanctions against a student for a violation of law:

- (i) Regardless of where the behavior occurs;
 - (ii) When a student is charged with a violation of law but not with any other violation of “The Student Code of Conduct”;
 - (iii) When a student is charged with a violation of law which is also a violation of “The Student Code of Conduct”;
 - (iv) While the student is also subject to criminal proceedings, arrest and/or prosecution or civil litigation.
 - (v) University conduct action may be carried out prior to, simultaneously with, or following civil or criminal proceedings.
 - (vi) The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws and will not request or agree to special consideration for an individual because of that individual’s status as a student.
- (2) Campus student organizations. Registered student organizations may exist for any appropriate purpose that does not conflict with university policies and regulations or with local, state, and/or federal laws. The development of policies and guidelines for student organizations is the responsibility of the dean of students or designee, in consultation with the associate vice president for student experience. The policies and regulations that apply to student groups/organizations are outlined in the “Penguin Student Handbook,” which houses all student organization policies. Student groups/organizations that violate any of the student organization policies may be charged with violating “The Student Code of Conduct” and be subject to the student conduct procedures set forth in this policy.
- (3) Student conduct authority.
- (a) The enforcement of regulations, policies, and guidelines that apply to students, student organizations/groups are within the jurisdiction of the dean of students, or designee.
 - (b) Any internal college, departmental, or program processes used to address alleged violations of policy or concerns about student conduct are secondary to the processes outlined herein.

- (c) Student groups and registered student organizations may be charged with violations of “The Student Code of Conduct” in the following circumstances:
 - (i) An organization is responsible for its actions and shall be held responsible when the organization fails to comply with the university’s student organization policies, and/or university policies or regulations.
 - (ii) An organization is responsible for its actions and shall be held responsible when the organization fails to comply with city, state, or federal law.
 - (iii) A student group (as defined in the glossary of terms section of this policy) or registered student organization and its officers may be held collectively or individually responsible for violations of “The Student Code of Conduct.”

(D) Article III. Student conduct standards/prohibited conduct.

The student conduct process aspires to develop and maintain conduct standards in support of character, civility, and community. This section of “The Student Code of Conduct” provides a set of expectations regarding student conduct in support of the university community.

A student or student group/organization may be charged with violating any student conduct standard. In cases where a violation is committed by a member of a student group/organization, the entire group/organization may be held responsible, in addition to the student, when those members of the group/organization not directly involved participate in the activity by encouraging, witnessing, or condoning the act in any manner. The following behavior is subject to disciplinary action under “The Student Code of Conduct”:

- (1) Academic integrity. Violations of academic integrity include:
 - (a) Plagiarism, which includes the use by paraphrase or direct quotation of the published or unpublished work of another person without full and clear acknowledgement, the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials, or the misrepresentation of another person’s work as one’s own.
 - (b) The use of any unauthorized assistance or tools, including generative artificial intelligence (AI) programs, prohibited by faculty:
 - (i) In taking quizzes, tests, assignments, or examinations;
 - (ii) When completing assignments, solving problems, or carrying out other assignments as detailed in the course syllabus or in other instructions by the instructor.
 - (c) The acquisition, without permission, of tests or other academic material belonging to a member of the university faculty or staff.

- (d) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
 - (e) Inappropriate collaboration, including working together on assignments or projects to an extent not permitted by the instructor.
 - (f) Multiple submissions of the same work, including submitting the same or parts of the same assignment for multiple classes without permission from the instructor.
 - (g) Fabrication of data, including presenting fictitious data relating to experiments, changing of data obtained from sources, and citing non-existent sources.
 - (h) Bribes, threats, or intimidation, including exchange of payment for assignments or parts of assignments, and threats to entice others to engage in violations of the academic integrity policy.
 - (i) Impersonation, pretending to be another person in the completion of a quiz, exam, or other assignment.
 - (j) Altering or destroying the work of others unless given permission.
 - (k) Lying to obtain an academic advantage, which includes falsification of documents or other information used to request makeup work.
 - (l) Assisting another person in any of the behaviors mentioned above is itself academic dishonesty.
 - (m) Asking others to engage in any of the behavior described above is academic dishonesty;
 - (n) Attempting to engage in any of the above behaviors is academic dishonesty.
- (2) Alcohol.
- (a) Use or possession of alcoholic beverages, except as permitted by law and university policy.
 - (b) Public intoxication.
 - (c) Manufacturing or distribution of alcoholic beverages to any person under twenty-one years of age except as permitted by law.
- (3) Bullying and harassment. Unwelcome or unreasonable behavior that harasses or intimidates people, either as individuals or as a group, and is sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint. Bullying and harassing behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior. See university policy 3356-2-03, "Discrimination/ harassment" (rule 3356-2-03 of the Administrative Code) for prohibited

conduct based on an individual's sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran/military status, or any other basis protected by law. See also university policy 3356-4-21 "Campus free speech" (rule 3356-4-21 of the Administrative Code) for harassment that is severe, pervasive, and objectively offensive).

- (4) Complicity. Allowing or enabling a violation to occur, failing to report a violation, or concealing, condoning, supporting or encouraging a violation or an attempted violation.
- (5) Student conduct system.
 - (a) Failure to obey the summons of a student conduct body or university official to appear for a meeting or hearing as part of the student conduct process.
 - (b) Falsification, distortion, or misrepresentation of information before a student conduct body.
 - (c) Institution of a student conduct proceeding knowingly without cause.
 - (d) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
 - (e) Attempting to influence the impartiality of a member of a student conduct body prior to and/or during the student conduct process.
 - (f) Unwelcome or unreasonable behavior that harasses or intimidates a member of a student conduct body, participants, or witnesses prior to, during or after a student conduct proceeding, and is sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint.
 - (g) Failure to comply with the sanction(s) imposed by a student conduct body.
 - (h) Influencing or attempting to influence another person to commit an abuse of the student conduct system.
 - (i) Disruption or interference with the orderly conduct of a student conduct proceeding.
- (6) Disorderly conduct. Conduct which obstructs teaching, research, administration, or university activities or functions.
- (7) Drugs.
 - (a) Use, possession, manufacturing, or distribution of marijuana, narcotics, or other controlled substances in either refined or crude form, including the use of drug-related paraphernalia.
 - (b) The misuse of materials as an intoxicant.

- (c) Use of prescription drugs in any way other than as prescribed. Distribution of prescription drugs to anyone other than the person to whom they are prescribed.
- (8) Failure to comply. Failure to comply with directions and/or oral or written instructions which are given by any university official, student, faculty member, or staff who is acting in an official university capacity and/or failure to identify oneself to these persons when requested to do so.
- (9) Financial obligations. Failure to meet all financial obligations to the university.
- (10) Gambling. Gambling or wagering of any form except as expressly permitted by law and/or university policy.
- (11) Hazing. Doing any act causing, forcing, soliciting, or coercing another, including the victim, to do any of the following for the purposes of initiating, admitting, or affiliating an individual into or with an organization, continuing, or enhancing an individual's membership or status in an organization, or perpetuating or furthering a tradition or ritual of an organization:
 - (a) Violate federal or state criminal law;
 - (b) Consume any food, liquid, alcoholic liquid, drug of abuse, or other substance which subjects the victim to a substantial risk of emotional or physical harm;
 - (c) Cause a substantial risk of emotional harm to another.
 - (d) Hazing does not include either of the following:
 - (i) Reasonable and customary organizational training, contests, competitions, or events;
 - (ii) Lawful expressive activity that is protected under the First Amendment to the United States Constitution, Section 11 of Article I of the Ohio Constitution, or sections 3345.0211 through 3345.0214 of the Revised Code.
- (12) Information technology. Theft or other abuse of information technology and resources, including, but not limited to:
 - (a) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose.
 - (b) Unauthorized transfer of a file.
 - (c) Unauthorized use of another individual's identification and password.

- (d) Use of computing facilities and resources to interfere with the work of another student, faculty member, or university official.
 - (e) Use of computing facilities and resources to send unwelcome or unreasonable messages that harass or intimidate individuals or groups that are sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint.
 - (f) Use of computing facilities and resources to interfere with the normal operation of the university computing system originating from an on-campus or off-campus source.
 - (g) Use of computing facilities and resources in violation of copyright laws.
 - (h) Any violation of the university policy 3356-4-09, "Acceptable use of university technology resources" (rule 3356-4-09 of the Administrative Code).
- (13) Dishonesty.
- (a) Furnishing false information to any university official, faculty member, or office.
 - (b) Forgery, alteration, or misuse of any university document, record, credit card, or instrument of identification.
 - (c) Tampering with the election of any university recognized student organization.
 - (d) Deliberately misleading or intentionally failing to maintain correct address and telephone information with the registrar.
 - (e) Misrepresenting enrollment status and/or achievement at the university to non-university officials and/or on non-university documents.
- (14) Obstruction of traffic. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university sponsored or supervised functions.
- (15) Endangering behavior.
- (a) Intentionally, knowingly, or recklessly causing physical harm to another person or their property or engaging in conduct which threatens or causes a reasonable apprehension of harm to the health, safety, life, or property of a person, including one's self.
 - (b) Entering false fire alarms, bomb threats, or tampering with fire extinguishers, alarms, smoke detectors, or other safety equipment.
- (16) Property damage. Any action which damages or could reasonably damage property of the university, or property of a member of the university community, or other personal or public property on or off campus, or acts of vandalism even if this behavior does not cause damage.

- (17) Published university policies. Violation of published university policies, rules, or regulations, including those available electronically on the university website.
- (18) Sexual harassment. Conduct on the basis of sex that satisfies one or more of the following categories:
 - (a) An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo). An individual does not have to submit to the conduct for quid pro quo sexual harassment to occur.
 - (b) Unwelcome conduct determined by the reasonable person's standard to be so severe and pervasive that it effectively denies a person equal access to an education program or activity (i.e., hostile environment).
 - (c) Sexual assault as defined in the Clery Act (which includes rape, fondling, incest, or statutory rape as defined below).
 - (i) Rape (except statutory rape). The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim. See university policy 3356-2-05 "Title IX sexual harassment policy" for definitions of consent, coercion, force, and incapacitation.
 - (ii) Fondling. The touching of the private body parts of another person for sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
 - (iii) Incest. Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - (iv) Statutory rape. Sexual intercourse with a person who is under the statutory age of consent.
 - (d) Dating violence, domestic violence, or stalking pursuant to the Violence Against Women Act (also defined below).
 - (i) Dating violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - (ii) Domestic violence. Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by

a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

- (iii) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.
- (e) Sexual misconduct. Conduct of a sexual nature that is nonconsensual or is carried out through force, threat, or coercion. Sexual misconduct includes, but is not limited to, sexual exploitation and voyeurism.
 - (i) Sexual exploitation. Sexual exploitation occurs when a person takes nonconsensual or abusive sexual advantage of another for their own benefit or advantage or to benefit or advantage anyone other than the person being exploited, and that behavior does not otherwise constitute another form of sexual misconduct. Examples of sexual exploitation include, but are not limited to, prostituting another, nonconsensual video or audiotaping of sexual activity, permitting others to secretly observe or record consensual activity or engaging in voyeurism.
 - (ii) Voyeurism. Voyeurism occurs when a person, for the purposes of sexual arousal or gratification sexual purposes, surreptitiously invades the privacy of another. Voyeurism can occur in person or through recording or electronic means.
- (f) Sex offenses. See Chapter 2907. of the Revised Code which defines sex offenses under Ohio law.
- (19) Theft. Attempted or actual theft, including possession of stolen property.
- (20) Unauthorized entry.
 - (a) Unauthorized entry to or use of university premises, including access to residential spaces other than one's own assigned space.
 - (b) Unauthorized possession, duplication, or use of keys to any university premises.
- (21) Unauthorized recording.
 - (a) Unauthorized use of electronic or other devices to make an audio or video record or photograph of any person while on university premises without their prior knowledge or without their effective consent when such a recording or photograph is likely to cause injury or distress, except as otherwise permitted by law.

- (b) Unauthorized distribution or dissemination of an audio or video recording or photograph of any person without their prior knowledge or consent, even if the recording or photograph originally had been produced with the person's consent, when such a recording or photograph is likely to cause injury or distress, except as otherwise permitted by law.
- (22) Violation of law. Behavior which would constitute a violation of federal, state, or local law that adversely affects the university community or interferes with the university's mission or its educational objectives and programs.
- (23) Weapons. Illegal or unauthorized possession of firearms, fireworks, explosives, other weapons, or dangerous chemicals on university premises or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others.
- (24) Sexual harassment as defined in Title IX of the Education Amendments of 1972 as set forth in university Title IX sexual harassment policy. (See rule 3356-2-05 of the Administrative Code and university policy 3356-2-05, "Title IX sexual harassment policy." Students, faculty, employees, volunteers, third parties, campus visitors and other individuals should refer to the Title IX policy referenced above for processes and procedures under Title IX). The complaint, adjudication, resolution, and appeal process for an allegation of a Title IX violation, as well as possible sanctions, is delineated in university policy 3356-2-05, "Title IX sexual harassment policy."

(D) Article IV. Student conduct procedures.

- (1) General. This overview gives a general idea of how the university's campus student conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, while consistency in similar situations is a priority, these procedures are flexible, and are not the same in every situation.
 - (a) These proceedings are administrative procedures and do not follow the specific steps, methods, or standards of proof of evidence used in civil or criminal courts.
 - (b) Any member of the university community may report alleged violations of "The Student Code of Conduct" by a student or a student group/organization. The report shall be prepared in writing and directed to the office of community standards and student conduct. A report of a violation of "The Student Code of Conduct" shall be submitted as soon as possible after the incident occurs but not later than thirty days following the university becoming aware of an incident. Exceptions to this limitation period will be reviewed by the student conduct administrator and may be granted in their discretion.
 - (c) The student conduct officer shall review reports of violation(s) and may initiate investigations of possible violation(s) of "The Student Code of Conduct" to determine if the charges have merit. In reviewing the reports, the student conduct officer will determine whether the alleged violation(s) may be resolved through a conduct conference or a conduct hearing. Students or student

groups/organizations that might be subject to university suspension or expulsion shall automatically be provided a student conduct board hearing. Additionally, students alleged to have violated the university's sexual misconduct policy will automatically be provided a student conduct board hearing.

- (e) The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence. Preponderance of the evidence is known as the balance of probabilities, met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than fifty per cent chance that the proposition is true.

(2) Student conduct conference.

- (a) Any student, student group, or student organization (hereinafter referred to as the respondent) who has been charged with an alleged violation of the student conduct standards of "The Student Code of Conduct" will first be scheduled for a conduct conference with the conduct officer assigned to review the allegation. The respondent will be notified in writing via their official university email address, of the date, time, and location of the conduct conference. Written notification will include:
 - (i) The specific charges pending against the respondent;
 - (ii) A brief summary of the referral;
 - (iii) Statement of rights and responsibilities; and
 - (iv) If applicable, a statement notifying the respondent that the alleged conduct is significant enough that they may face suspension or expulsion if the charge is substantiated.
- (b) The conduct conference is the first step in the student conduct process and serves to provide the respondent with the opportunity to discuss the allegations that led to the referral. The respondent will receive more information regarding the process, clarification of their rights and options, the ability to inspect and review all relevant information as well as a range of potential sanctions(s) for the violation(s) in question should the charges be substantiated. After a discussion regarding the incident and review of relevant information, and if the case does not warrant suspension or expulsion, the respondent will have an opportunity to accept or deny responsibility for the charge(s).
- (c) If the respondent accepts responsibility for the charge(s), the conduct officer will sanction the respondent as part of the conduct conference. The respondent will be asked to sign a conduct conference agreement which will outline all of the sanctions offered to the respondent. While the student may sign the

agreement immediately, they have up to three university working days to do so. The respondent has the option to accept the charge(s) but contest the sanction(s) or agree to both the charge(s) and sanction(s). Once the agreement is signed, the decision is final and there is no appeal process. If the respondent denies responsibility for one or more of the charges, or denies the sanction(s), the conduct officer will refer the case for a student conduct board hearing. If the case warrants suspension/expulsion, the case will automatically be referred for a student conduct board hearing.

(d) Complainants, or harmed parties in a case, are also scheduled for a conduct conference with the conduct officer assigned to review the allegation. This meeting occurs prior to the respondent's conduct conference and serves to provide the complainant with the opportunity to discuss the allegations that led to the referral. The complainant will receive more information regarding the process, clarification of their rights and options, the ability to inspect and review all relevant information as well as a range of potential sanctions(s) for the respondent should the charges be substantiated. The complainant will be notified in writing via their official university email address, of the date, time, and location of the conduct conference. Written notification will include:

- (i) The specific charges pending against the respondent;
- (ii) A brief summary of the referral; and
- (iii) Statement of rights and responsibilities.

(f) If a respondent accepts responsibility for the charges and agrees to the sanctions issued by the conduct officer, the complainant will be notified in writing of the outcome of the respondent's conduct conference. If the respondent denies responsibility for one or more of the charges, or denies the sanction(s), the complainant will be invited to participate in a student conduct board hearing. If the case warrants suspension/expulsion, the case will automatically be referred for a student conduct board hearing, for which the complainant will receive notice.

(3) Student conduct board hearing.

(a) The purpose of a hearing is to provide an equitable forum for the review of the available information regarding an alleged incident of misconduct. The student conduct board hearing panel will decide by the preponderance of evidence whether the respondent is found responsible for the charge(s). All hearings are closed to the public, except for the complainant, respondent, advisors for the complainant and/or respondent, witnesses, hearing panel, hearing panel advisor, and the conduct officer. All parties directly participating in the hearing (the respondent, complainant, advisors, and conduct officer) may remain present the entire time, excluding deliberations.

- (b) Student conduct board hearing panels consist of three members of the student conduct board. Hearing panels are comprised of a combination of trained faculty, staff, and students. Each student conduct board hearing will have a faculty/staff hearing panel chair. The chair is responsible for keeping the proceedings moving forward.
 - (c) If the respondent or complainant fails to appear at a scheduled student conduct board hearing and the absence is not excused, the hearing may proceed in their absence or may be rescheduled at the discretion of the chair. Additionally, if the complainant, respondent, or witnesses are unable to attend the hearing in person, video technology may be used to enable participants to simultaneously see/hear each other. Video technology may also be used if the complainant or respondent prefers to participate in the hearing from a different room than the opposing party.
 - (d) Each student conduct board hearing panel will have a hearing panel advisor. The role of the hearing panel advisor is to ensure the student conduct process is adhered to and to answer procedural questions posed by any party during the hearing. The hearing panel advisor will also keep the proceedings focused on issues relevant to the specific allegations. The hearing panel advisor will remain present during deliberations to answer questions and provide guidance as necessary.
- (4) Hearing procedures.
- (a) Guidelines.
 - (i) The chair will explain the rights and responsibilities of the respondent and the complainant.
 - (ii) The chair and hearing panel advisor are responsible for assuring that these rights as well as the process described in this paragraph are adhered to during the hearing.
 - (iii) The respondent or the complainant may ask for the removal of a hearing panel member by providing written or verbal evidence of bias. The charge of bias is made to the chair who will determine whether it is valid. If the charge of bias is against the chair, the hearing panel advisor will decide whether it is valid. If bias is found, or is unable to be determined, the hearing will be rescheduled.
 - (iv) The conduct officer may ask questions of any party at any time throughout the hearing.
 - (v) The chair and hearing panel advisor are responsible for determining the relevancy of questions asked during a hearing and may deem certain questions irrelevant and not allow them to be answered. The chair must explain to the party proposing questions any decision to exclude a question as not relevant.

- (vi) The chair may exclude persons from the hearing if they are disruptive or postpone the hearing because of disruptive behavior by participants or observers.
- (b) Introduction.
- (i) Each party in the room will introduce themselves and explain their role in the hearing.
 - (ii) The chair will then explain the process and procedures for the hearing.
 - (iii) All witnesses will then be dismissed from the room.
- (c) Presentation of information.
- (i) Following the introduction, the chair will present the respondent with the charges against them. The respondent will respond to each charge by acknowledging that they are responsible for the charge or by denying responsibility for the charge.
 - (ii) The conduct officer will explain why the case was referred for a hearing and will provide a detailed summary of the incident and any subsequent investigation undertaken.
 - (iii) If there is a complainant, they will then have an opportunity to provide the hearing panel with a summary of their role and perspective on the incident.
 - (iv) The hearing panel will then ask the respondent to describe their involvement in the matter at hand as it pertains to the charges being considered in the hearing.
 - (v) The conduct officer, complainant, and respondent will then present any relevant witnesses or documentary information. The conduct officer, complainant and respondent will each, in turn, have the opportunity to ask questions regarding the information presented.
 - (vi) The complainant and respondent, in turn, will have the opportunity to cross-examine one another. If the complainant and respondent have mutual no-contact orders against one another, questions for opposing parties will be submitted to the hearing panel chair in writing.
 - (vii) The conduct officer will have an opportunity to make a summary statement including any sanctioning recommendations.
 - (viii) The complainant will have an opportunity to make a summary statement including any sanctioning recommendations.

- (ix) The respondent will have an opportunity to make a summary statement including any sanctioning recommendations.
- (d) Deliberation and finding.
 - (i) The hearing panel will go into closed session to determine by the preponderance of evidence whether the respondent will be found responsible for the charge(s) pending in this matter. Student conduct hearing panels determine findings by majority vote.
 - (ii) If the respondent is found responsible for a violation of one or more of the pending charges, the hearing panel will proceed to sanctioning. At this time, the hearing panel will be presented with any relevant information pertaining to the respondent's prior student conduct cases and sanctions.
 - (iii) The hearing will reconvene for the announcement of the findings and any subsequent sanction(s).
 - (iv) Written notification of the decision will be sent to the complainant and respondent simultaneously via their official university email addresses.
- (5) Student rights and responsibilities. The following rights and responsibilities apply to those involved in a matter being addressed by the student conduct process to uphold due process.
 - (a) Rights of respondent. All respondents in the student conduct process have the following rights:
 - (i) Written notice of the charge(s) made against them and the basis of the allegation that led to the charge(s).
 - (ii) In matters that could result in a sanction of suspension or expulsion, the above-mentioned notification will alert the respondent to the possible severity of the outcome.
 - (iii) The right to an advisor. It is the respondent's responsibility to communicate all necessary information regarding the student conduct process and proceedings with the advisor, unless the respondent signs an authorization for the release of information, thus allowing the office of community standards and student conduct to communicate directly with the advisor. The advisor may not actively participate in the student conduct process on behalf of the student.
 - (iv) To request reasonable accommodations due to disability. See paragraph (E)(6) of this policy, "Reasonable accommodation for students with disabilities."

- (v) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than two university working days in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within five university working days of the initially scheduled proceeding.
 - (vi) Reasonable access to inspect and review their own case file, which includes all information that would be used during the student conduct process, including hearing audio/video, to the extent permitted by confidentiality laws.
 - (vii) Explanation of the resolution options available to them through the student conduct process.
 - (viii) To be presumed not responsible for an alleged violation until found in violation by a preponderance of the evidence.
 - (ix) To speak or not speak on their own behalf.
 - (x) The opportunity to respond to information used as part of the decision-making process.
 - (xi) To deny responsibility for the charge(s) facing them and request that the case be referred to a student conduct board hearing.
 - (xii) To question any witness who participates as part of a hearing.
 - (xiii) The right to appeal.
 - (xiv) To waive any of the above stated rights provided that the waiver is made freely and in writing.
- (b) Rights of the complainant. All complainants in the conduct process have the following rights:
- (i) To pursue criminal or civil charges where a legal case exists (without university assistance).
 - (ii) Explanation of the resolution options available to them through the conduct process.
 - (iii) To be free from harassment and intimidation from respondents and others as they engage in this process.
 - (iv) The right to an advisor. It is the complainant's responsibility to communicate all necessary information regarding the student conduct process and proceedings with the advisor, unless the complainant signs an authorization for the release of information, thus allowing the office

of student conduct to communicate directly with the advisor. The advisor may not actively participate in the student conduct process on behalf of the student.

- (v) Reasonable access to inspect and review their own case file, which includes all information that would be used during the student conduct process, including hearing audio/video, to the extent permitted by confidentiality laws.
 - (vi) To request reasonable accommodations due to disability. See paragraph (E)(6) of this policy, "Reasonable accommodation for students with disabilities."
 - (vii) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than two university working days in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within five university working days of the initially scheduled proceeding.
 - (viii) To provide information for consideration during the conduct process, and to know the results of the process to the extent allowed under federal laws and university policies.
 - (ix) The opportunity to appear at any hearing that may take place to provide relevant information.
 - (x) The opportunity to submit a written or recorded impact statement for use in a hearing, even if the complainant chooses not to attend the hearing.
 - (xi) To question any witness who participates as part of a hearing.
 - (xii) The right to appeal.
- (c) Responsibilities of respondents, complainants, and witnesses. All respondents, complainants, and witnesses in the conduct process have the following responsibilities:
- (i) To be honest and forthright in all information they provide during the student conduct process. Presenting false and misleading information during this process is a violation of student conduct standards as outlined in this policy.
 - (ii) To attend all scheduled meetings, conferences, or hearings, unless alternate arrangements are made (in the case of witnesses) or notice is provided in advance (in the case of complainants and respondents).

- (iii) To refrain from disruption of the hearing process. Disruption of this process is a violation of this policy. See paragraph (D) of this policy, “Student conduct standards/ prohibited conduct.”
 - (iv) Complainants and respondents have the responsibility to prepare and present their entire case as well as secure the presence of any witnesses who will speak on their behalf.
- (6) Reasonable accommodation for students with disabilities. Any student with a disability involved in the student conduct process has the right to request reasonable accommodation to ensure their full and equal participation. Students wishing to request reasonable accommodations should make those requests directly to accessibility services. Students do not have to disclose information about the complaint or charge to request reasonable accommodation, except to the extent that it may assist in the determination of reasonable accommodations.

Accommodations are determined on an individual basis by accessibility services staff and implemented in consultation with the office of community standards and student conduct. Examples of reasonable accommodation include sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings.

- (7) Sanctions. If the student or student group/organization is found responsible for a violation of a policy, sanctions will be issued in accordance with the office of community standards and student conduct’s sanctioning rubric. The student conduct administrator may adjust recommended sanctions on a case-by-case basis, as appropriate.

A conduct sanction imposed or other action taken by any student conduct body shall become effective upon written notification to the respondent. The notification will be sent to the respondent’s official university email account. In cases involving a student group/organization, notification will be sent to the official university email account for the president or student group/ organization leader.

The decision of a student conduct body may be appealed, as outlined in paragraph (E)(9) of this policy. If the respondent files a request for appeal, and if the appeal is denied, the sanction shall take effect upon exhaustion of the appeals process and shall be retroactive to the effective date stated in the original notification to the respondent.

- (a) The following sanctions may be imposed upon any student who has been found responsible for a violation of “The Student Code of Conduct.” Sanctions are typically issued in a progressive fashion; however, each situation differs and many factors, including the severity of a violation and the impact of the violation on the campus community, will be taken into consideration in determining sanctioning.

- (i) Warning. A written notification statement that the student is violating or has violated “The Student Code of Conduct.” Continuation or

repetition of inappropriate conduct may be cause for increased sanctioning.

- (ii) Conduct probation. Notice in writing that the violation of “The Student Code of Conduct” is serious and that any subsequent violation(s) of university regulations may result in imposition of additional restrictions or conditions, suspension, or expulsion.
- (iii) Conduct probation with loss of good standing. Notice in writing that the violation of university regulations is serious and that any subsequent violation(s) of “The Student Code of Conduct” may result in suspension or expulsion. In addition, an order preventing the student from holding university elective office, student employment, participating in any intercollegiate activity or sport, participating in any university sponsored program/organization, or representing the university in any other manner will be attached to this sanction.
- (iv) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.
- (v) Educational sanctions. Other sanctions may be imposed instead of, or in addition to, those specified above. These may include community service, educational assignments, referrals to student outreach and support and other campus offices, or other similar sanctions designed to assist the respondent in reflecting upon their behavior and the impact of their behavior on self or others.
- (vi) Residential probation. Issued to students living in university-owned or university-sponsored housing. Notice in writing that the violation of “The Student Code of Conduct” is serious and that any subsequent violation of university regulations and/or resident handbook/lease policies may result in imposition of additional restrictions or conditions, residential suspension, or residential expulsion.
- (vii) Guest restriction. Issued to students living in university-owned or university-sponsored housing. Residential students are restricted from signing into other residential communities as guests for a designated period.
- (viii) Host restriction. Issued to students living in university-owned or university-sponsored housing. Residential students are restricted from hosting other guests for a designated period.
- (ix) Relocation. Issued to students living in university-owned or university-sponsored housing. Requiring a student to move to another floor, residence hall, or apartment because of community disruption.

- (x) Deferred residential suspension. Issued to students living in university-owned or university-sponsored housing. Separation of the student from the residential community is deferred for a specified period. If the student is found responsible for any subsequent violations of "The Student Code of Conduct," residential suspension is automatically issued as a sanction.
- (xi) Residential suspension. Issued to students living in university-owned or university-sponsored housing. Separation of the student from the residence halls for a specified period after which time the student is eligible to return. During the suspension period, the student is prohibited from accessing any university housing facilities. This may include residential dining facilities.
- (xii) University suspension. Separation of the student from the university for a specified period after which time the student is eligible to return. During the suspension period, the student does not have access to the university and is prohibited from participating in any academic or other university activities. This may include residential dining facilities. A university suspension is noted on an addendum attached to a student's transcript during the period of suspension.
- (xiii) Residential expulsion. Issued to students living in university-owned or university-sponsored housing. Permanent separation of the student from the residential community. An expulsion denies the student access to all university housing facilities on a permanent basis. This may include residential dining facilities.
- (xiv) University expulsion. Permanent separation of the student from the university. An expulsion denies the student access to the university, including any campus facilities, any campus programs or activities, and any class sessions on a permanent basis. A university expulsion is permanently noted on a student's transcript.
- (xv) Revocation of admission and/or degree. Revocation of admission to or awarding of a degree from the university for fraud, misrepresentation, or other violation of university standards in obtaining the degree, or for serious violations committed by a student prior to graduation.
- (xvi) Withholding degree. Withholding the awarding of a degree otherwise earned until the completion of the process set forth in "The Student Code of Conduct," including the completion of all sanctions imposed, if any.
- (xvii) Fines. Fines for violations of "The Student Code of Conduct" will be assessed and charged to the student's account. A list of fines for all violations will be determined at the discretion of the dean of students, or designee, who will submit a list of the fines structure to the university

board of trustees for approval on an annual basis. The fines structure must be included as a part of “The Student Code of Conduct” when published and presented to students.

- (xviii) No-contact order. The student is restricted from making contact in any verbal, written, electronic, third-party, or physical manner with a designated individual. If a student is found in violation of the no contact order, they may be subject to arrest and removed from campus. No-contact orders are always issued mutually to involved parties.
 - (xix) Parental/guardian notification. The office of community standards and student conduct staff will coordinate parental/guardian notification in cases of alcohol use or drug use when the student is under 21 years of age, their behavior demonstrates a risk of harm to self or others or constitutes a violation of law involving a controlled substance.
- (b) More than one of the sanctions listed in paragraph (E)(7) of this policy may be imposed for any single violation.
 - (c) The following sanctions may be imposed upon student groups/organizations:
 - (i) Those sanctions as outlined in paragraph (E)(7) of this policy.
 - (ii) Deactivation. Loss of all privileges, including university recognition, for a specified period.
 - (d) The student conduct administrator shall be responsible for ensuring that sanctions imposed by hearing panels and conduct officers are consistent with the violation and sanctions imposed for similar violations in other similar cases.
- (8) Interim measures. In certain circumstances, the dean of students, or designee, may impose an interim measure prior to a student conduct board hearing or conduct conference. This includes university or residential suspension.
- (a) Interim measures may be imposed only:
 - (i) To ensure the safety and well-being of members of the university community or to preserve university property;
 - (ii) To ensure the respondent’s own physical or emotional safety and well-being;
 - (iii) If the respondent poses a threat of disruption or interference with the normal operations of the university; or
 - (iv) If the respondent is charged with the commission of a criminal offense as defined in section 2901.01 of the Revised Code.

- (b) In the event that an interim measure is imposed, the student or student group/organization will be notified either in person or by regular U.S. or certified mail of the cause for the interim measure. The respondent will also be notified via their official university email address. The interim measure becomes effective immediately upon notification and will remain in place until it is determined to no longer be necessary. Interim measures may be determined to no longer be necessary when:
- (i) There is no longer a risk to the safety and well-being of members of the University community or a risk to university property;
 - (ii) Interim measures are no longer needed to ensure the respondent's physical or emotional safety and well-being; or
 - (iii) The respondent no longer poses a threat of disruption or interference with the normal operations of the university.

Any alterations, amendments, or modifications to the interim measures shall be documented. Notice of modification of interim measures will be served to affected parties in the same manner in which the original notice of interim measures was served. A hearing panel will convene as expeditiously as possible to review the case. The hearing will follow the procedures outlined in paragraph (E)(4) of this policy and may proceed before, during, or after any criminal proceedings.

- (c) In the case of an interim suspension, the student or student group/organization shall be denied access to all housing facilities and/or to the campus (including physical classes) and/or all other university activities or privileges for which the student or student group/organization might otherwise be eligible, unless determined otherwise by the student conduct administrator.

(9) Appeals.

- (a) The decision or sanction imposed by a student conduct body may be appealed by the respondent or complainant ("the appellant") within five university working days of notification of the decision. If an appeal is not received within this time frame, the decision reached by the student conduct body will be final.
- (b) Requests for appeals shall be made in writing and shall be submitted via electronic form to the office of community standards and student conduct. The request for appeal should indicate the grounds on which the decision is being appealed, referencing at least one of the grounds for the appeal (see paragraph (E)(9)(d) of this policy) along with supporting information.
- (c) Once a request for appeal has been submitted and until the appeal decision has been communicated to the appellant, all sanctions except any issued as interim measures, such as interim suspensions, will be held in abeyance.

- (d) Appellate hearings are not a live re-hearing of the student conduct case. Except as required to explain the basis of new evidence, an appellate hearing shall be limited to review of the record of the initial hearing and supporting documents for one or more of the following grounds:
 - (i) A claim that the original hearing was conducted in violation of procedural requirements set forth in “The Student Code of Conduct” and to determine whether these violations could have affected the outcome of the hearing.
 - (ii) A claim that the decision reached regarding the respondent did not have a reasonable basis for the conclusion reached and that it was not based on proof by a preponderance of the evidence.
 - (iii) A claim that the sanction(s) imposed was/were disproportionate and without basis to the violation of “The Student Code of Conduct” for which the respondent was found responsible.
 - (iv) A claim that there is new information, sufficient to alter a decision or other relevant facts not presented in the original hearing because such information and/or facts were not known by the appellant at the time of the original hearing.
- (e) The burden of proof rests with the appellant.
- (f) The appellant may, in preparing the request for appeal, have access to records of the case, which may be reviewed electronically via secure link sent by the office of community standards and student conduct.
- (g) A request for appeal in a case adjudicated by a student conduct board hearing panel will be reviewed by an appellate hearing panel. An appellate hearing panel is composed of three members from the student conduct board selected by the student conduct administrator.
- (h) Once a request for appeal has been submitted by the complainant or respondent, the other party shall receive a copy of the request for appeal and may submit a written response to the request for appeal to the office of community standards and student conduct, which will be considered alongside the request for appeal. Any written response must be submitted within five university working days of notification of the submission of a request for appeal.
- (i) The appellate hearing panel will review the appeal to determine whether one of the grounds listed in this policy has been met.
- (j) If an appellate hearing panel determines that a request for appeal has met one or more of the grounds, the following options are available:

- (i) Remand the case to the original panel for reconsideration, if new information, sufficient to alter a decision or other relevant facts not presented in the original hearing, becomes available, because such information and/or facts were not known by the appellant at the time of the original hearing.
 - (ii) Uphold the original decision.
 - (iii) Alter the findings/sanctions issued by the original hearing panel.
 - (k) If the appellate hearing panel determines that the request for appeal does not meet one of the grounds, the appeal will be dismissed and the original decision will be upheld.
 - (l) The decision of the appellate hearing panel is final.
- (10) Conduct procedures for university housing. Deputy conduct officers have been designated by the student conduct administrator to assist in the review of alleged violations of policy originating within university housing.
- (a) The responsibility for the enforcement of rules and regulations governing student conduct in the residence halls, as outlined in the “Resident Handbook,” is delegated by the student conduct administrator to a conduct officer. This may be a deputy conduct officer, as described above.
 - (b) Any student, faculty member, or university official may file a written report against any student living in a residence hall for alleged violations of policy within the residence hall, campus dining facilities, or at any residence hall function.
 - (c) Upon receipt of a written report, the conduct officer will investigate to determine whether there is reasonable cause to believe that a violation of “The Student Code of Conduct” may have occurred. If the conduct officer believes that such a violation did occur they will follow the procedures outlined in paragraph (E)(4) of this policy to address the alleged violation.
- (11) Student conduct record. The student conduct administrator shall maintain all student conduct records of information received and action taken by the respective student conduct bodies.
- a) Student conduct records shall be expunged seven years after final disposition of the case, excluding students who were sanctioned with residential suspension, residential expulsion, university suspension, or revocation or withholding of a degree, which shall be expunged fifteen years after final disposition of the case resulting in such action. Sanctions of university expulsion will remain on a student’s conduct record indefinitely. Upon graduation, the student may petition the student conduct officer for immediate removal of all files contained in their student conduct records if the following conditions are met:

- (i) The violation(s) was determined to not have threatened or endangered the health or safety of any person, including sexual misconduct
- (ii) University or residential suspension and/or expulsion or revocation or withholding of a degree were not issued as sanctions
- (iii) All sanction requirements, including associated probationary periods, have been completed
- (iv) An online petition form is completed and submitted to the office of community standards and student conduct

The student may appeal a negative response of the student conduct officer to the student conduct administrator.

- (b) Records regarding university suspension or university expulsion of a student group/organization shall be kept indefinitely.
 - (c) All material gathered from a substantiated conduct case (residential, academic, and other) shall become part of any new case against the same respondent(s) after the new charges have been substantiated.
 - (d) Student conduct records are maintained only in the names of respondents found responsible for violations of university policy, or local, state or federal law.
- (12) Special procedures. To ensure continued participation of students, faculty, and administration in the student conduct process and to ensure speedy disposition of conduct cases, the president of the university is empowered to develop a subcommittee structure in the event of a large number of student conduct cases. Such subcommittee shall be empowered to hear and adjudicate cases in accordance with the provisions of "The Student Code of Conduct" and shall ensure that all elements of procedural due process delineated in this article are observed.
- (13) Responsible action exemption. The university encourages students to seek immediate medical attention for themselves or others during alcohol and/or drug-related emergencies. When students act as responsible bystanders, the university may choose to resolve alcohol and/or drug violations informally rather than through the student conduct process. The office of community standards and student conduct determines when students are eligible for responsible action exemption on a case-by-case basis. In instances involving possible sexual misconduct, the office of community standards and student conduct may seek input from the Title IX office before making a determination. For exemption to be considered, the following must occur:
- (a) Students must directly contact law enforcement, medical personnel, or university staff to request medical assistance.

- (b) Students must identify themselves and the student(s) of concern to first responders.
- (c) Students must comply with specific instructions given by the responding personnel.

Students exempted from alcohol and/or drug charges will not face formal sanctions but are required to meet with a conduct officer to discuss the incident and learn about campus and community resources. If a student is under twenty-one years of age at the time of the incident, the conduct officer may notify parents or guardians of the exemption.

Documentation of exemptions will be maintained by the office of community standards and student conduct as informational records and are not considered part of a student's conduct record. Incident information will not be released by the office of community standards and student conduct when contacted for background checks/transfer verifications.

The university reserves the right to deny exemption for any case in which violations are repeated or egregious, including activities related to hazing. Students will only receive one exemption during their tenure at the university.

Members of student organizations that actively seek medical assistance during alcohol and/or drug-related emergencies may be granted exemption from organizational conduct charges. Incidents involving student organization intervention will be considered on a case-by-case basis. The same standards outlined above apply.

- (14) Serious misconduct policy. "Serious misconduct" is defined as "any act of sexual assault, domestic violence, dating violence, stalking, sexual exploitation, any assault that employs the use of a deadly weapon," as defined in division (A) of section 2923.11 of the Revised Code, or causes serious bodily injury.

Students found responsible for violations of the serious misconduct policy will face, at minimum, a sanction of conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

Students returning from a sanction of suspension will automatically be placed on conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

(F) Article V. Title IX sexual harassment procedures (per university policy 3356-2-05)

(1) Grievance process.

- (a) Time frame. The process outlined below is expected to occur within ninety calendar days from the date a complaint is filed. The Title IX coordinator, or designee, may extend this time period by providing written notice to the parties citing the reason(s) for the extension. The complainant or respondent may request a temporary delay of the grievance process for good cause by written request to the Title IX coordinator. Good cause includes, but is not limited to, the absence of party, a party's advisor or a witness, or the accommodation for disabilities.
- (b) Report. Information, however received, alleging sexual harassment, as defined in this policy, and provided to a person with the authority to initiate corrective action. A report may lead to further action, including the filing of a formal complaint, depending on the alleged facts and circumstance.
- (c) Formal complaint. A formal complaint is a verbal or written account which alleges a conduct which could violate this policy and is made to a person with authority to initiate corrective action. A complaint may be submitted by mail, email, in person, by telephone or electronically at TitleIX@ysu.edu.

(2) Notice.

- (a) Upon receipt of a formal complaint, the university shall provide the following written notice to the parties who are known: notice of this grievance process, including any informal resolution process; and notice of the allegations of sexual harassment as defined above, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
- (b) If in the course of an investigation the university decides to investigate allegations about the complainant or respondent that are not included in the notice provided, the university shall provide notice of the additional allegations to the parties whose identities are known.
- (c) Notice to the university staff listed below of sexual harassment or allegation of sexual harassment constitutes actual notice to the university and triggers the university's obligation to respond.
 - (i) Title IX coordinator and deputy Title IX coordinators.
 - (ii) Director of equal opportunity and policy development.
 - (iii) Vice presidents and associate vice presidents.
 - (iv) Academic deans and chairpersons.

- (v) Supervisors/managers.
 - (vi) Coaches and assistant coaches.
- (3) Consolidation of formal complaints. The university may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.
- (4) Dismissal of formal complaint. The Title IX coordinator shall dismiss formal complaints that do not meet the following criteria.
- (a) Mandatory dismissal.
 - (i) Would not constitute sexual harassment as defined in this policy even if proved.
 - (ii) The alleged sexual harassment did not occur in the university’s education program or activity.
 - (iii) The alleged conduct did not occur in the United States.
 - (b) Discretionary dismissal.
 - (i) Complainant notifies the Title IX coordinator in writing that they would like to withdraw the formal complaint.
 - (ii) The respondent is no longer enrolled or employed by the university.
 - (iii) Specific circumstances prevent the university from gathering sufficient evidence.
 - (c) The dismissal of a formal complaint shall be done simultaneously and in writing to the parties.
 - (d) A dismissal of a formal complaint may be appealed pursuant to paragraph (F)(10) of this policy.
 - (e) A formal complaint which is dismissed pursuant to this policy may be considered under a different university policy, such as policy 3356-2-3, “Discrimination/ harassment” or 3356-7-04, “Workplace and off-campus violence, threats, and disruptive behavior,” or under “The Student Code of Conduct.”
- (5) Informal resolution. At any time prior to reaching a determination regarding responsibility, the university may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication.

- (a) Both parties' voluntary, written consent to the informal resolution process is necessary. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.
 - (b) Informal resolution is not an option for resolving allegations that an employee or faculty member sexually harassed a student.
- (6) Investigation. The Title IX coordinator or designee is responsible for investigating formal complaints which meet the criteria of this policy.
- (a) The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the investigator and not on the parties.
 - (b) The respondent is not considered responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
 - (c) The university shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that party's voluntary, written consent to do so for a grievance process under this section or as permitted by law.
 - (d) The parties shall have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence during the course of the investigation. All parties are free to discuss the allegations under investigation or to gather and present relevant evidence.
 - (e) All parties shall have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice including an attorney. However, the advisor may not speak during any interview or proceedings, with the exception of the cross-examination portion of any hearing.
 - (f) Any party whose participation is invited or expected shall receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with sufficient time for the party to prepare to participate.
 - (g) Both parties shall receive an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

- (h) Prior to completion of the investigative report, the investigator shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties shall have ten calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.
 - (i) The investigator shall make all evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
 - (j) The investigator shall create an investigative report that fairly summarizes relevant evidence and shall provide a copy, in electronic or hard copy format, to the parties and their advisors at least ten calendar days prior to any hearing. Either party can submit a written response to the investigator during these ten days.
- (7) Hearings. Formal complaints that are not resolved informally or dismissed will result in a live hearing.
- (a) The hearing will be scheduled by the office of student conduct and will be held before a Title IX decision-maker. Where the complainant and respondent are both employees and/or faculty members, the Title IX coordinator will convene the hearing.
 - (b) Live hearings may be conducted with all parties physically present in the same geographic location, or participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
 - (c) The decision-maker shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing shall be conducted directly, orally, and in real-time by the party's advisor of choice and never by a party personally.
 - (d) At the request of either party, the hearing may occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
 - (e) Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker shall first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Parties may not challenge the relevancy determination of the decision-maker, except on appeal.
 - (f) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern

specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- (g) If a party does not have an advisor present at the live hearing, the university shall provide, without fee or charge to that party, an advisor of the university's choice to conduct cross-examination on behalf of that party.
 - (h) If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) shall not rely on any statement of that party or witness in reaching a determination regarding responsibility, provided, however, that the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
 - (i) Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.
 - (j) Parties are not required to divulge any medical, psychological, or similar privileged records as part of the hearing process.
 - (k) The decision-maker shall create an audio recording for a live hearing and an audiovisual recording for a virtual live hearing. Such recording will be available to the parties for inspection and review upon written request to the convener.
- (8) Findings.
- (a) The hearing decision-maker shall issue a written determination simultaneously to the parties regarding responsibility/policy violation(s) and sanctions/discipline when responsibility/policy violation is found to have occurred. To reach this determination, the preponderance of the evidence standard (whether it is more likely than not that the alleged conduct occurred) will be used.
 - (b) The determination regarding responsibility and sanction(s)/ discipline becomes final either on the date that the university provides the parties with the written determination of the result of the appeal, if an appeal is filed; or if an appeal is not filed, the date on which an appeal would no longer be considered timely.
 - (c) The written determination shall include:
 - (i) Identification of the allegations potentially constituting sexual harassment.
 - (ii) A description of the procedural steps which were followed starting with the formal complaint and continuing through determination.
 - (iii) The finding of facts that support the determination.

- (iv) A conclusion applying the appropriate definition of the university's policy to the facts.
 - (v) A rationale for the result of each allegation regarding the determination of responsibility.
 - (vi) For respondents who are students, the hearing decision-maker shall consult with the vice president of student experience or their designee regarding sanctions. For respondents who are employees or faculty members the hearing decision maker shall consult with the chief human resources officer, or their designee, regarding discipline.
 - (vii) Information regarding whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided to the complainant. The Title IX coordinator is responsible for effective implementation of any remedies.
 - (viii) The procedures and bases for the complainant and respondent to appeal the determination.
- (9) Sanctions/discipline.
- (a) Students.
 - (i) Possible sanctions for student respondents: warning, conduct probation with or without loss of good standing, restitution, educational sanctions, residential suspension, university suspension, residential expulsion, university expulsion, revocation of admission and/ or degree, withholding degree, and fines.
 - (ii) Serious misconduct is defined as any act of sexual assault, domestic violence, dating violence, stalking, sexual exploitation, or any assault that employs the use of a deadly weapon, as defined in division (A) of section 2923.11 of the Revised Code, or causes serious bodily injury. Students found responsible for violations of the serious misconduct policy will face, at minimum, a sanction of conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

Students returning from a sanction of suspension will automatically be placed on conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

- (b) Possible sanctions/discipline for employee or faculty respondents: employment probation, demotion or reassignment, suspension with or without pay for a specific period of time, termination of employment, ineligibility for rehire, and/or other sanctions or remedies as deemed appropriate under the circumstances.

(10) The appeal process.

- (a) Filing an appeal.
 - (i) Appeals are not a re-hearing of the allegation(s).
 - (ii) Only a complainant or respondent (referred to as party or parties) may request an appeal.
 - (iii) An appeal must be submitted in writing to the Title IX coordinator within five working days from receipt of a decision using the “Title IX Appeal Request Form” and include all supporting material.
 - (iv) A party may appeal the determination regarding responsibility, sanctions/discipline and/or the university’s dismissal of a formal complaint or any allegations therein.
 - (v) There are four grounds for appeal:
 - (1) Procedural irregularity that significantly impacted the outcome of the matter (for example material deviation from established procedures). The appeal request must cite specific procedures and how they were in error; and/or
 - (2) New evidence that was not reasonably available at the time the original decision was made that could have affected the outcome. A summary of this new evidence and its potential impact must be included in the request. (Note: Failure to participate or provide information during an investigation or hearing, even based on concern over a pending criminal or civil proceeding, does not make information unavailable during the original investigation or hearing); and/or
 - (3) The Title IX coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. The appeal must cite specific examples of how the bias affected the outcome.
 - (4) The discipline/sanction(s) imposed are substantially outside the parameters or guidelines set by the university for this type of

violation or the cumulative conduct record of the responding party.

- (b) Title IX appellate review officer (hereinafter referred to appellate review officer). Upon receipt of a request for appeal, the Title IX coordinator will designate a Title IX appellate review officer as follows:
 - (i) Appeals where the respondent is a student, the appellate officer will be either the vice president for student affairs or their designee or a deputy Title IX coordinator who did not participate in the investigation or hearing.
 - (ii) Appeals where the respondent is a faculty member or employee, the appellate officer will be either the chief human resources officer or their designee or a deputy Title IX coordinator who did not participate in the investigation or hearing.
 - (iii) The appellate officer cannot be the investigator, Title IX coordinator, or the person who acted as the decision-maker regarding the determination of responsibility/policy violation, or dismissal.
- (c) Appeal procedures:
 - (i) Generally, within five business days after receipt of the request for appeal by the appellate review officer, the appellate review officer will conduct an initial review of the appeal request(s) to determine whether the appeal is timely and satisfies the grounds for appeal.
 - (ii) If the appeal request is not timely or does not satisfy the grounds for appeal, the appeal request will be denied, the parties will be notified, and the finding and sanction or responsive action/remedies will stand. The decision not to accept an appeal request is final and is not subject to further appeal.
 - (iii) If the appeal request is timely and meets the ground for appeal, the Title IX coordinator will notify the parties that the appeal has been accepted and will notify the non-appealing party that they may file a response within three business days from notification.
 - (iv) The appellate review officer will then review the issues presented in the appeal and any response(s).
 - (v) The standard on appeal is whether there is relevant evidence/information such that a reasonable person would support the decision(s).
 - (vi) The appellate review officer can take one of the following actions:
 - (1) Affirm the original findings;

- (2) Remand the case to the original investigators or hearing panel for consideration of new evidence or to remedy a procedural irregularity;
- (3) Remand the case to a new investigator in a case of bias. The appellate review officer, may order a new investigation with a new investigator or hearing panel; or
- (4) Administratively alter the finding if bias, procedural irregularity or new evidence, unknown or unavailable during the original investigation, substantially affected the original finding, and the associated sanctions or responsive action.
- (vii) Decisions rendered by the appellate review officer or actions taken following the decisions appellate review officer's decision are final and not subject to further appeal.
- (viii) Cases that are sent back to the investigator or hearing panel are not eligible for a second appeal.

(G) **Article VI. Academic integrity violation procedures.**

(1) **General.**

- (a) Academic honesty is essential to the educational process and serves to protect the integrity of the university community. Therefore, all members of the university community have a responsibility for maintaining high standards of honesty and ethical practice. Cheating, plagiarism, and other forms of academic dishonesty constitute a serious violation of university policy, as outlined in paragraph (D) of this policy. Students should consult with the faculty member if they are not sure what may constitute a violation of the academic integrity policy.
- (b) Students suspected of violations of the academic integrity policy may be charged with a violation of university policy under the student conduct standards as outlined in paragraph (D)(1) of this policy. Cases of alleged violations of the academic integrity policy shall be resolved as outlined in this paragraph.
- (c) The process outlined in this paragraph is the only approved process by which faculty members can address alleged violations of the academic integrity policy. Failure to follow this process or use of any process other than this will result in nullification of any charges against the student and nullification of any sanctions levied against the student. If, following nullification of the charges and sanctions, the faculty member refuses to rectify the impacted grades or assignments, the student has the right to file a grievance against the faculty member. Any internal college, departmental, or program processes used to address alleged violations of policy or concerns about student conduct are secondary to the processes outlined herein.

(2) Academic integrity conference.

- (a) After the faculty member has gathered evidence of a possible violation, they shall notify the student within two university working days in writing, via university email, of the allegations and invite the student to participate in an academic integrity conference. The faculty member and student may hold the conference without written notification. This academic integrity conference shall occur within five university working days of the written notification to the student.
- (b) The academic integrity conference is the first step in this process and serves to provide the student with the opportunity to discuss the allegations made by the faculty member. During this meeting, the student should have the opportunity to address the allegations, and to review all relevant information and documentation to the allegations.

In situations where the course is taught primarily online and/or where the student is unable to physically present for the academic integrity conference, the meeting may be conducted via email, phone, or video conference, as appropriate. The faculty member may consult with the judicial chair of the academic grievance subcommittee or the office of community standards and student conduct for direction in such situations.

- (c) If, after meeting with the student, the faculty member determines that no violation of the academic integrity policy occurred and/or the student is not responsible for a violation of the academic integrity policy, the faculty member can dismiss the charges by not filling out the academic integrity form.
- (d) If the faculty member concludes that the student is responsible for a violation of the academic integrity policy, the faculty member shall select an appropriate sanction, as outlined in paragraph (F)(3) of this policy and will complete the academic integrity form. While the student may sign the form immediately, they have up to five university working days to do so. The student has the option to accept the charge but contest the sanction, or they can agree to both the charge and sanction.
- (e) If the student signs the academic integrity form, acknowledging responsibility for the alleged violation and accepting the sanction, the decision is final and there is no appeal process.
 - (i) The student will return the form to the faculty member. The faculty member will sign the form and will submit copies of any documentation or statements with the academic integrity form.
 - (ii) The faculty member will forward the form to the departmental chairperson for their signature, acknowledging the case has been brought to their attention. The chairperson has the option to submit a written statement to be included with the academic integrity form.

- (iii) The chairperson will then forward the form and all documents to the dean for their signature, acknowledging the case has been brought to their attention. The dean has the option to submit a written statement to be included with the academic integrity form.
 - (iv) The dean will then forward the form and all documents to the office of community standards and student conduct to be placed in the student's file.
 - (v) The dean of graduate studies will be notified and provided a copy of the form and all documents for cases involving graduate students.
 - (vi) No further action is required unless the recommended sanction includes program removal, suspension, or expulsion. In cases where one of these sanctions is recommended, the case will be forwarded to the judicial chair of the academic grievance subcommittee for review.
- (3) Failure to appear, respond or sign.
- (a) If the student fails to respond to the faculty member's request for an academic integrity conference, or fails to attend an academic integrity conference within five university working days of notice by the faculty member, the following will occur:
 - (i) The faculty member will complete and sign the academic integrity form without the student's signature. They will then submit the form along with copies of any documentation or statements to the chairperson for their signature, acknowledging the case has been brought to their attention. The chairperson has the option to submit a written statement to be included with the form.
 - (ii) The chairperson will then forward the form and all documents to the dean for their signature, acknowledging the case has been brought to their attention. The dean has the option to submit a written statement to be included with the form.
 - (iii) The dean will then forward the form and all documents to the office of community standards and student conduct to be placed in the student's file. The office of community standards and student conduct will then forward the academic integrity form and all documents to the judicial chair of the academic grievance subcommittee for further action.
 - (iv) The dean of the college of graduate studies will be notified and provided a copy of the form and all documents for cases involving graduate students.

- (b) If the student declines to accept responsibility for the charges and/or declines to accept the sanctions selected by the faculty member, the faculty member should complete the form as outlined in this paragraph.
- (4) Academic grievance subcommittee referrals.
 - (a) If the student declines to accept responsibility for the charges, and/or declines to accept the sanctions selected by the faculty member, the case will be referred to the office of community standards and student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee.
 - (b) Regardless of whether the academic integrity form is signed, in cases where program removal, suspension, or expulsion is recommended by the faculty member, the case will be referred to the office of community standards and student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee. A representative from the office of community standards and student conduct must be present at all such hearings to serve in an advisory capacity.
- (5) Academic grievance subcommittee structure.
 - (a) Judicial chair. Associate provost for academic administration or designee appointed by the provost.
 - (b) Faculty members are appointed by the academic senate and serve a two-year term. One faculty member shall be selected from each of the six colleges. At least three of these appointees will have graduate faculty status. In cases involving graduate matters, only graduate faculty will be appointed. Six faculty members with graduate faculty status will be appointed by graduate council to hear cases involving graduate students.
 - (c) Undergraduate student members are appointed by the dean of students, or designee, and may serve up to three years on the subcommittee. In addition, six graduate students (preferably one from each college) will be appointed by the graduate council to hear cases involving graduate students.
 - (i) Students must complete an application available through the office of community standards and student conduct.
 - (ii) At least one undergraduate student member is selected from each of the six colleges.
 - (iii) Students must have a minimum GPA of 2.5 for undergraduate students and a 3.0 for graduate students.
 - (iv) Students must not have a previous student conduct record.

- (v) Students should be sophomore status or above.
- (6) Academic grievance subcommittee hearing procedures.
- (a) In cases where the student failed to respond to a request from the faculty member for an academic integrity conference, cases where the student failed to return the signed academic integrity form to the faculty member within the given timeframe, cases wherein the student disputes the charges or sanctions, or in cases when the faculty member recommends program removal, suspension, or expulsion, a hearing by the academic grievance subcommittee is initiated.
 - (b) Within five university working days of receiving the academic integrity form and any supporting documentation of evidence from the faculty member, the judicial chair, or designee, shall contact the student involved and request a statement and any documentation or evidence they would like to have considered in the hearing. The student will have five university working days to submit these items to the office of community standards and student conduct.
 - (c) Within two university working days of receiving the statement and evidence, the judicial chair, or designee, shall distribute copies of the academic integrity form and any documentation or evidence produced by the student and faculty member to the academic grievance subcommittee members, the student, faculty member, department chairperson, and appropriate dean. The academic integrity form, course syllabus (submitted by the faculty member, student, or both), and any documentation or evidence produced by the student, faculty member, chairperson, or dean compose the academic integrity hearing packet.
 - (d) A hearing date, time, and location for the academic grievance subcommittee hearing will be established by the judicial chair, or designee. Academic grievance subcommittee members shall have a minimum of three university working days to review all written materials in the academic integrity hearing packet. The hearing notice shall be sent to the parties directly involved in the grievance procedure, excluding advisors and witnesses. Parties directly involved include:
 - (i) Faculty/student. The party who files the academic integrity form and the party who is alleged to have violated the academic integrity policy. If either party cannot or refuses to attend the hearing, they may provide written or recorded statements to be submitted for evidence. Faculty members are permitted to have a substitute who will exercise all the rights and responsibilities of the absent faculty member.
 - (ii) Department chairperson. The chairperson of the department in which the faculty member resides. The chairperson's attendance is optional. If the chairperson is in attendance, they will be brought in to speak with the hearing panel after the presentation of information by the faculty member and student and without the faculty member or student

present. The chairperson's role in the hearing is to provide information on any knowledge they have of the case as well as to provide insight into and clarify any questions regarding the culture of the department or expectations of students in the department.

- (iii) Dean. The dean of the college in which the faculty member's department is housed. The dean's attendance is optional. In addition, the dean of graduate studies has the option to attend in cases that involve graduate students and graduate faculty members. If the dean is in attendance, they will be brought in to speak with the hearing panel after the presentation of information by the faculty member and student and without the faculty member or student present. The dean's role in the hearing is to provide information on any knowledge they have of the case as well as to provide insight into and clarify any questions regarding the culture of the department or expectations of students in the department.
- (iv) Academic grievance subcommittee hearing panel members. Derived from the membership of the student academic grievance subcommittee of the academic senate. At minimum, each hearing panel consists of three faculty members, three undergraduate students, and the judicial chair. In hearings involving allegations against a graduate student, graduate college representatives will form the hearing panel. The hearing panel conducts the formal hearing and renders a decision. No member of a hearing panel will hear a case directly involving themselves.
- (v) Advisors. The student and the faculty member may each avail themselves of the services of an advisor throughout the academic integrity process. An advisor may be drawn from within or outside the university community. Advisors may not present testimony or speak on behalf of the party whom they are advising. They are permitted, however, to give notes or whisper instructions/advice to the party whom they are advising. Examples of advisors include a parent/guardian, attorney, clergy, other faculty member, or coach. The advisor may not be the chairperson or dean for the college in which the faculty member or student is housed. In situations where a graduate assistant is considered the instructor of record and is the party who submitted the academic integrity form, the chairperson may serve as an advisor to the graduate assistant and is permitted to stay throughout the hearing.

In cases in which the student is a dully enrolled high school and university student (through the Youngstown early college or the college credit plus program), the student may have both a parent/guardian and a secondary advisor present for the hearing.
- (vi) Witness(es). Witnesses who have something to add to the hearing either in support of the faculty member or student are permitted.

While the number of witnesses is not limited, the number of witnesses that present repetitive testimony may be limited at the discretion of the judicial chair.

- (e) If the student or faculty member is unable to be physically present for the hearing, then both the faculty member and student will be made available for the hearing through the same electronic means to provide equal treatment to all parties. This may include either teleconference or video conferencing platforms, as deemed appropriate by the judicial chair.

(7) Rights of hearing parties.

- (a) The following rights are guaranteed to the student and the faculty member:

- (i) The right to be present.
- (ii) The right to be accompanied by an advisor of their choice.
- (iii) The right to speak in support of their argument.
- (iv) The right to bring witnesses in support of their case.
- (v) The right to present any relevant information directly supporting their written items in the academic integrity packet, including oral testimony.
- (vi) The right to refute information presented.
- (vii) The right to consult with the judicial chair or the office of community standards and student conduct regarding the hearing, their testimony or the presentation of any testimony in support of their case.

- (b) The judicial chair has the right to:

- (i) Limit the amount of time testimony is presented by any given individual;
- (ii) Remove disruptive individuals from the room;
- (iii) Ensure that only the members of the hearing panel, student, and faculty member are present in the room;
- (iv) Ensure that all witnesses remain outside the hearing room and are brought in and dismissed after their testimony is presented;
- (v) Extend the timeline for the hearing process.

(8) Deliberation and findings.

- (a) The hearing panel shall meet in closed session to review the information presented and reach a decision. The hearing panel shall vote using secret

ballots tallied by the judicial chair. The judicial chair will only vote in circumstances of a tie among the hearing panel members.

- (b) If the hearing panel determines that the student is responsible for a violation of the academic integrity policy, the hearing panel may consider previously resolved cases (on file with the office of community standards and student conduct) involving the student when assigning an appropriate sanction. The judicial chair will present such information to the hearing panel only after a determination of responsibility on the case in question has been reached.

The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence. Preponderance of the evidence is known as the balance of probabilities, met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than fifty per cent chance that the proposition is true.

- (c) Both parties shall be informed of the hearing panel's decision in writing within three university working days. This statement shall be prepared and signed by the judicial chair and forwarded to the office of community standards and student conduct, the graduate school dean when appropriate, the provost and all parties directly involved in the hearing, except advisors and witnesses.
 - (i) Notice of the hearing panel's decision ends the academic grievance subcommittee's involvement in the disposition of the case.
 - (ii) A file of all pertinent documents for all academic integrity hearings shall be kept by the office of the provost and the office of community standards and student conduct.
 - (iii) Any change of grade as a result of the hearing panel's decision should be made by the faculty member and signed by the respective chairperson and/or dean within five university working days. If the faculty member, chairperson and/or dean refuse to sign the grade change form, then the provost will do so.

(9) Appeals.

- (a) Only students may appeal the decision of the academic grievance subcommittee regarding for cases involving alleged violations of the academic integrity policy. The appeal can only be based on procedural violations and must be submitted within five university working days from the date on which the student was notified of the hearing panel's decision. The request for an appeal is submitted in writing to the judicial chair.
- (b) The judicial chair will forward the written appeal to the academic senate executive committee within two university working days.

- (i) If the academic senate executive committee determines that no procedural violations occurred or that any procedural violations were minor and did not affect the original hearing panel's decision, the original hearing panel's decision is upheld, and the case is closed.
 - (ii) If the academic senate executive committee determines that procedural violations may have occurred and were potentially substantive enough to have affected the hearing panel's decision, the case will be referred to a three-person appellate hearing panel consisting of one student and two faculty members. This appellate hearing will take place within twelve university working days of receipt of the written appeal.
 - (c) Appellate hearing panel.
 - (i) No member of the appellate hearing panel will hear a case directly affecting themselves.
 - (ii) Prior to the appellate hearing, members of the appellate hearing panel shall review all relevant documents.
 - (iii) The chair of the appellate hearing panel shall inform both parties of the decision as soon as reasonably possible. A written statement of the decision shall be prepared and signed by the chair of the appellate hearing panel, forwarded to the student, faculty member, the office of community standards and student conduct, and office of the provost within five university working days of the decision via university email.
 - (iv) A file of all pertinent documents for all appeals shall be kept by the office of community standards and student conduct and/or the office of the provost.
 - (v) The decision reached by the appellate hearing panel is final and may not be appealed.
 - (d) At the discretion of the chair of the appellate hearing panel, the timeline under the appeal process may be extended.
 - (e) If the appeal results in a grade change, the grade change form should be completed by the faculty member and signed by the respective chairperson and/or dean within three university working days. If the faculty member, chairperson, and/or dean refuse to sign the grade change form, then the provost will do so.
- (10) Sanctions. Sanctions for violations of the academic integrity policy may include, but are limited to, the following:
- (a) Issuing an official warning.

- (b) Lowering the grade on the exam, paper or assignment in question.
 - (c) Lowering the final grade for the course.
 - (d) Requesting additional action from the academic grievance subcommittee, including removal from a course, removal from an academic program, university suspension, or expulsion.
 - (e) Other sanctions as deemed appropriate by the faculty member. The faculty member may consult with the judicial chair, the office of community standards and student conduct, chairperson or dean regarding appropriate sanctions.
- (11) Role of the student conduct administrator (SCA). The student conduct administrator, or designee, has the following responsibilities with regards to all cases involving alleged violations of the academic integrity policy.
- (a) To create/maintain a student conduct file containing the completed academic integrity form and supporting documents.
 - (b) To expunge all records as outlined in this policy.
 - (c) In cases where the academic integrity form is completed by all parties, they will acknowledge receipt of this form by emailing the student, faculty member, chairperson, and dean with a letter that details the resolution of the case.
 - (d) In cases where the student has already been found responsible for a previous academic integrity violation, any additional violation will result in a review of all cases by the office of community standards and student conduct for possible additional charges and sanctioning.
- (H) **Article VII. Section 3345.22 of the Revised Code, the “1219 hearing” process.**
- (1) **Background.** Disruptive behavior and the “1219” procedure. The Ohio campus disruption act, also known as Ohio House Bill 1219, is codified in sections 3345.22 and 3345.23 of the Revised Code. The purpose of the law is to protect university students, faculty, staff, and other members of the campus community from crimes of violence committed near the university or upon people or property at the university.
- A “1219 hearing” is appropriate when a student is arrested for a crime of violence committed on or near the university. If a student is convicted of an offense of violence that occurred on or near the university, the student will be automatically suspended pursuant to section 345.23 of the Revised Code. The purpose of the "1219 hearing” is to remove students from campus who may be a threat to the safety and security of the student body or campus community.
- (2) **Definition of a “crime of violence.”** There are over thirty crimes of violence considered violations of the “1219” law, including but not limited to the following: arson, assault, burglary, domestic violence, discharged firearm, felonious assault, gross sexual

imposition, inciting to violence, inducing panic, intimidation, kidnapping, menacing, murder, rape, riot, robbery, sexual battery, and voluntary manslaughter.

(3) Jurisdiction of the “1219 hearing.”

- (a) If a student is arrested for a crime of violence referenced in division (D) of section 3345.23 of the Revised Code, they may be temporarily suspended from the university according to “The Student Code of Conduct,” which is referred to as an interim suspension. This suspension will last during the process of the “1219 hearing” and continue until the student meets with the office of community standards and student conduct. The results of the “1219 hearing” discussed in this paragraph does not alter the student’s status under an interim suspension.
- (b) A “1219 hearing,” which is distinctly separate from a conduct conference or a student conduct board hearing, will be held shortly after a student’s arrest for a crime of violence. The hearing can be continued for good cause. The purpose of the “1219 hearing” is to determine by a preponderance of the evidence whether the student committed an offense of violence.
- (c) If the referee, as appointed by the university (office of the general counsel), finds that the student did commit an offense of violence on or near the university, the referee will then determine if the student should be under strict probation or suspended from the university pending the outcome of the criminal case. However, as previously noted, if the student is under an interim suspension, the student will remain suspended, even if they only receive strict probation from the referee, until the conclusion of the student conduct process administered by the office of community standards and student conduct.
- (d) Following the “1219 hearing,” the criminal case outcome will determine the student’s status under section 345.23 of the Revised Code. If the student is convicted of an offense of violence in the criminal case, the student will be suspended from the university for at least one year.
- (e) Upon acquittal, or upon any final judicial determination not resulting in conviction of an offense of violence, the “1219” suspension automatically terminates and the student in question shall be reinstated and the record of the “1219” suspension expunged from the person’s university record. The criminal process and “1219 hearing” are separate. The outcome of the “1219 hearing” has no bearing on the criminal case.
- (f) When a student is found not guilty, they may return to school, but upon conclusion of the “1219 hearing” and possibly while the criminal case is still underway, the university may, and in nearly all cases, will initiate the student conduct process. The student may also be under the restriction of an interim suspension. If the student is not under an interim suspension or has been found not responsible of a violation of “The Student Code of Conduct,” the student would be permitted to return to school.

- (g) If the student is found guilty at the criminal trial for an offense of violence on or near the university, they will be suspended from Youngstown state university for the period of one year. The student will receive a written notice of the suspension from the office of community standards and student conduct. The student must receive approval from the board of trustees to be permitted to return to the university. This one-year suspension will still be imposed even if the student is found not responsible for a violation of “The Student Code of Conduct.”
- (4) The “1219 hearing” process. The “1219 hearing” will be an adversary proceeding. Unlike a student conduct hearing, a “1219 hearing” will be conducted by a referee appointed by the university. A university attorney will present the evidence at the hearing on behalf of the university. The student has the right to:
 - (a) Be represented by an attorney.
 - (b) To cross-examine witnesses called by the state (the university).
 - (c) Call upon their own witnesses.
 - (d) To present evidence.
 - (e) To give a statement (but not required to do so). If the student does not appear at the hearing, the student will be suspended. In the absence of a waiver of the right against compulsory self-incrimination, the testimony of a student whose suspension is being considered, given at the hearing, shall not subsequently be used in any criminal proceeding against the student.
- (5) Burden of proof. Preponderance of the evidence is the standard used for all “1219 hearings.” Preponderance of the evidence is known as the balance of probabilities met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than fifty per cent chance that the proposition is true. The referee must find that the student committed the offense by a preponderance of the evidence.
- (I) **Article VIII. Parental/guardian notification policy.**

Youngstown State University is committed to an educational environment that promotes the safety, responsible decision-making, and social and intellectual development of all students. Furthermore, the university is concerned with taking a proactive approach in regards to students who may be experiencing problems with alcohol or other drugs. It is the policy of Youngstown state university to notify parents of students under twenty-one years of age if such students have been found responsible for violating institutional policies regarding alcohol or other drugs, to create a positive support network for students.

 - (1) Parameters.

- (a) This policy will be applied in situations where students under the age of twenty-one have been found responsible for a violation of university policies regarding drugs or alcohol.
 - (b) The office of community standards and student conduct shall be responsible for administering all procedures of the parental/guardian notification policy.
- (2) Procedures.
- (a) Parents/guardians shall be notified when the underage student is found responsible for a violation of the drug or alcohol policies.
 - (b) The dean of students, or designee, may make an exception to the parental/guardian notification policy if in their judgment it is determined that harm would come to the student because of parental/guardian notification.
 - (c) The notification will be provided in writing from the office of community standards and student conduct and will be mailed to the student's home address.
 - (d) The notification letter will inform parents or guardians that their student has been found responsible for a violation of an alcohol or drug policy. Included with the letter will be answers to frequently asked questions. Parents or guardians will be encouraged to discuss the incident with the student.
 - (e) The office of community standards and student conduct will be responsible for responding to questions from parents/guardians. If a parent or guardian is interested in reviewing their student's conduct file, the student generally must sign a waiver to release this information. There are exceptions to this that will be determined on a case-by-case basis.

(J) Article IX. Interpretation and revisions.

Any question of interpretation or application regarding "The Student Code of Conduct" shall be referred to the student conduct administrator for final determination.

"The Student Code of Conduct" shall be reviewed every three years under the direction of the student conduct administrator. Any member of the university community may recommend a change to "The Student Code of Conduct" to the dean of students, or designee. The dean of students, or designee, shall distribute the recommendation to the appropriate areas and gather feedback. If the change is endorsed by the dean of students, or designee, the change shall be presented to the board of trustees for adoption.

(K) Glossary of terms when used in "The Student Code of Conduct."

- (1) The term "due process" is an assurance that all accused students will receive notice of charges, notice of the evidence to be used against them, and the opportunity to participate in a hearing prior to the deprivation of any educational property interest.

- (2) The term “academic grievance subcommittee” is a group of university students and faculty selected and trained to adjudicate hearings wherein a student has allegedly violated the academic integrity policy for the university. Each hearing has a hearing panel consisting of at least six members from the academic grievance subcommittee.
- (3) The term “appellate hearing panel” shall mean any person or persons authorized on a case-by-case basis by the student conduct administrator to consider a request for appeal from a student conduct body’s determination that a student has violated “The Student Code of Conduct” or from the sanctions imposed by the student conduct body.
- (4) The terms “can,” “may,” or “should” specify a discretionary provision of “The Student Code of Conduct.”
- (5) The term “complainant” shall mean any party harmed by the actions of a student who allegedly violated “The Student Code of Conduct.”
- (6) The term “deputy conduct officer” shall mean a university official authorized on a case-by-case basis by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”
- (7) The term “faculty member” shall mean any person employed by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty. In certain situations, a person may be both “student” and “faculty member.” One’s status in a situation shall be determined by the relevant circumstances.
- (8) The terms “file” or “records” mean information relating to a current or former student which is stored in a fashion that facilitates recovery of that information by reference to the individual in whatever form or medium such gathering of information is created, kept, or maintained.
- (9) The term “function” shall mean all student activities or events occurring at the university or sponsored by registered student organizations, groups, or members of the academic community.
- (10) The term “group” shall mean a number of students who are associated with each other and who have not complied with university requirements for registration as an organization.
- (11) The terms “hearing panel” or “hearing panel members” shall mean individuals who have been selected or assigned to adjudicate a hearing. These individuals are selected from a trained body, including the student conduct board and the academic grievance subcommittee.
- (12) The term “hearing panel advisor” shall mean the student conduct administrator, or designee, or appointee. The hearing panel advisor has responsibility for ensuring that policies and procedures within this document are adhered to within any student conduct process. The hearing panel advisor may be involved in any part of the student

conduct process, and may provide input or answers, or otherwise answer questions asked by any parties.

- (13) The term “may” is used in the permissive sense.
- (14) The term “member of the university community” shall include any person who is a student, faculty member, university official, any other person employed by the university, or any person lawfully present on university premises.
- (15) The term “organization” shall mean a university-registered student organization which as complied with formal requirements of official registration.
- (16) The term “policy” shall be defined as the written regulations of the university as found in, but not limited to, “The Student Code of Conduct,” “Resident Handbook,” the university website, undergraduate/graduate catalogs, university policies, and board of trustees’ policies.
- (17) The term “respondent” shall mean any student accused of violating “The Student Code of Conduct.”
- (18) The terms “shall,” “must,” “will,” or “is required” specify a mandatory requirement of the code.
- (19) The term “student” shall include all persons registered for courses, seminars, and workshops at the university, either full-time or part-time, pursuing undergraduate, graduate, professional studies, or continuing education programs. Also included are those individuals accepted for admission or living in the residence halls, whether enrolled at the university.
- (20) The term “student conduct administrator” is the dean of students, or designee, who shall be responsible for the administration of the code and the university student conduct process.
- (21) The term “student conduct board” is a group of university students, staff, and faculty selected and trained to adjudicate hearings wherein students have allegedly violated university policy. Each hearing has a hearing panel consisting of three members from the student conduct board.
- (22) The term “student conduct body” shall mean student conduct officer, any deputy conduct officer, or any hearing panel of the student conduct board authorized by the student conduct administrator to determine whether a student has violated “The Student Code of Conduct” and to recommend imposition of sanctions.
- (23) The term “student conduct officer” is the assistant dean of students for community standards, advocacy, and conduct who is the university official assigned to serve as the primary charging administrator by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”

- (24) The terms “university” or “institution” mean Youngstown state university and collectively those responsible for its operation.
- (25) The term “university premises” shall be defined as all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university including adjacent streets, sidewalks, and parking lots.
- (26) The term “university official” shall mean any person employed by, appointed to, authorized to act on behalf of or performing administrative or professional work for the university.
- (27) The term “university working day” refers to any day of the week excluding Saturdays, Sundays, or official holidays.
- (28) The term “weapon” shall have the same meaning as in university policy 3356-7-03 concerning weapons on campus (rule 3356-7-03 of the Administrative Code).
- (29) All other terms have their natural meaning unless the context otherwise dictates

TITLE IX SEXUAL HARASSMENT POLICY

3356-2-05 Title IX sexual harassment policy.

Responsible Division/Office:	Equal Opportunity, Policy Development, and Title IX
Responsible Officer:	Director for Equal Opportunity, Policy Development, and Title IX
Revision History:	September 2020; June 2021
Board Committee:	University Affairs
Effective Date:	June 3, 2021
Next Review:	2026
	Responsible Officer website.

(A) Policy statement.

Youngstown State University (“YSU” or “university”) is committed to fostering and maintaining a safe, nondiscriminatory environment for its students and employees consistent with the requirements of Title IX of the Education Amendments of 1972 and Title 34, Part 106 of the Code of Federal Regulations (“Title IX”). Sexual harassment, including sexual assault, dating violence, domestic violence and stalking, is strictly prohibited by this policy. Retaliation against those who report sexual harassment or participate in the process outlined in this policy is prohibited.

(B) Purpose.

To provide the university community with a clearly articulated set of behavioral standards, common understandings of definitions, descriptions of prohibited conduct, relevant information, and reporting options consistent with the requirements of Title IX.

(C) Scope.

This policy applies to all students, faculty, employees (including student employees), volunteers, and third parties, campus visitors or other individuals engaged in any university activity or program within the United States, regardless of sexual orientation or gender identity.

For purposes of this policy, a university activity or program is a location, event or circumstance over which the university exercises substantial control over both the respondent and the context in which the alleged sexual harassment occurred, whether on or off campus.

(D) Definitions (for purposes of this policy).

- (1) "Sexual harassment." Conduct on the basis of sex that satisfies one or more of the following categories:
 - (a) An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo). An individual does not have to submit to the conduct in order for quid pro quo sexual harassment to occur.
 - (b) Unwelcome conduct determined by the reasonable person's standard to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity (i.e., hostile environment).
 - (c) "Sexual assault" as defined in the Clery Act (which includes rape, fondling, incest or statutory rape, as defined in this paragraph).
 - (i) "Rape" (except statutory rape). The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - (ii) "Fondling." The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - (iii) "Incest." Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - (iv) "Statutory rape." Sexual intercourse with a person who is under the statutory age of consent.

- (d) Dating violence, domestic violence, or stalking pursuant to the Violence Against Women Act (also defined in this paragraph).
 - (i) “Dating violence.” Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - (ii) “Domestic violence.” Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
 - (iii) “Stalking.” Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.
- (e) “Sexual misconduct.” Conduct of a sexual nature that is nonconsensual or is carried out through force, threat, or coercion. Sexual misconduct includes but not limited to sexual exploitation and voyeurism.
 - (i) “Sexual exploitation.” Sexual exploitation occurs when a person takes nonconsensual or abusive sexual advantage of another for his/her own benefit or advantage or to benefit or advantage anyone other than the person being exploited, and that behavior does not otherwise constitute another form of sexual misconduct. Examples of sexual exploitation include, but are not limited to, prostituting another, nonconsensual video or audiotaping of sexual activity, permitting others to secretly observe or record consensual activity or engaging in voyeurism.
 - (ii) “Voyeurism.” Voyeurism occurs when a person, for the purposes of sexual arousal or gratification sexual purposes, surreptitiously invades the privacy of another. Voyeurism can occur in person or through recording or electronic means.
- (2) Speech or conduct protected by the First Amendment to the United States Constitution or Sections 3 and 11 of Article I of the Ohio Constitution is not harassment for purposes of this policy. Refer to university policy 3356-4-21, “Campus free speech”; rule 3356-4-21 of the Administrative Code.

- (3) “Consent.” An action which is defined as positive, unambiguous, voluntary and ongoing agreement to engage in a specific activity. Consent is the equal approval, given freely, willingly, and knowingly, of each participant to desired sexual involvement. Consent is an affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact. A person may be incapable of giving consent due to physical incapacitation, physical or mental disability, threat or force, coercion, the influence of drugs or alcohol or age. Silence or lack of resistance cannot be the sole factor in determining one has received consent.
 - (a) “Coercion.” Intimidation, physical, or psychological threat, or pressure used to force another to engage in sexual acts. Coercion is unreasonable pressure for sexual activity.
 - (b) “Force.” The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.
 - (c) “Incapacitation.” Inability to evaluate, understand, or control conduct because an individual is unconscious, asleep, intoxicated or under the influence of other drugs, or for any other reason, physically, mentally, or legally unable to communicate or grant consent. Incapacitation does not correlate to a specific blood alcohol content (BAC) and could be the result of drug use.
- (4) “Complainant.” An individual who is alleged to have experienced conduct that could violate this policy. Also referred to as a “party” for purposes of this policy.
- (5) “Respondent.” An individual who has been reported to be the perpetrator of conduct that could violate this policy. A respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility has been made pursuant to the hearing protocol. Also referred to as a “party” for purposes of this policy.
- (6) “Student.” An individual is a student when they are registered for courses, seminars, or workshops at the university, either full-time or part-time; pursuing graduate, undergraduate, or continuing education courses; accepted for admission; or living in a resident hall, whether or not actually enrolled at the university.
- (7) “Faculty member.” An individual who is employed by the university to conduct classroom, research, or teaching activities.
- (8) “Employee.” An individual is an employee when they have been hired/employed by the university to perform certain work or services at a specified hourly wage or salary. Student employees are employees for purposes of this policy.

(E) **Grievance process.**

- (1) **Timeframe.** The process outlined below is expected to occur within ninety calendar days from the date a complaint is filed. The Title IX coordinator or designee may extend

this time period by providing written notice to the parties citing the reason(s) for the extension. The complainant or respondent may request a temporary delay of the grievance process for good cause by written request to the Title IX coordinator. Good cause includes, but is not limited to, the absence of party, a party's advisor or a witness, or the accommodation for disabilities.

- (2) Report. Information, however received, alleging sexual harassment as defined in this policy and provided to a person with the authority to initiate corrective action. A report may lead to further action, including the filing of a formal complaint, depending on the alleged facts and circumstances. The university encourages individuals to report any allegations as defined in this policy. A report may be submitted by mail, email, in person, by telephone or electronically at TitleIX@ysu.edu.
- (3) Formal complaint. A formal complaint is a verbal or written account which alleges a conduct which could violate this policy and is made to a person with authority to initiate corrective action. A complaint may be submitted by mail, email, in person, by telephone or electronically at TitleIX@ysu.edu.
- (4) Notice.
 - (a) Upon receipt of a formal complaint, the university shall provide the following written notice to the parties who are known: notice of this grievance process, including any informal resolution process; and notice of the allegations of sexual harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
 - (b) If, in the course of an investigation, the university decides to investigate allegations about the complainant or respondent that are not included in the notice provided, the university shall provide notice of the additional allegations to the parties whose identities are known.
 - (c) Notice to the university staff listed in this paragraph, of sexual harassment or allegation of sexual harassment, constitutes actual notice to the university and triggers the university's obligation to respond.
 - (i) Title IX coordinator and deputy Title IX coordinators.
 - (ii) Director of equal opportunity and policy development.
 - (iii) Vice presidents and associate vice presidents.
 - (iv) Academic deans and chairpersons.
 - (v) Supervisors/managers.
 - (vi) Coaches and assistant coaches.

- (5) Consolidation of formal complaints. The university may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.
- (6) Dismissal of formal complaint. The Title IX coordinator shall dismiss formal complaints that do not meet the following criteria.
- (a) Mandatory dismissal.
 - (i) Would not constitute sexual harassment as defined in this policy, even if proved.
 - (ii) The alleged sexual harassment did not occur in the university’s education program or activity.
 - (iii) The alleged conduct did not occur in the United States.
 - (b) Discretionary dismissal.
 - (i) Complainant notifies the Title IX coordinator in writing that they would like to withdraw the formal complaint.
 - (ii) The respondent is no longer enrolled or employed by the university.
 - (iii) Specific circumstances prevent the university from gathering sufficient evidence.
 - (c) The dismissal of a formal complaint shall be done simultaneously and in writing to the parties.
 - (d) A dismissal of a formal complaint may be appealed pursuant to paragraph (F) of this rule.
 - (e) A formal complaint which is dismissed pursuant to this policy may be considered under a different university policy, such as policy 3356-2-3, “Discrimination/harassment” or 3356-7-04, “Workplace and off-campus violence, threats, and disruptive behavior,” or under the student code of conduct.
- (7) Informal resolution. At any time prior to reaching a determination regarding responsibility, the university may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication.

- (a) Both parties' voluntary, written consent to the informal resolution process is necessary. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.
 - (b) Informal resolution is not an option for resolving allegations that an employee or faculty member sexually harassed a student.
- (8) Investigation. The Title IX coordinator or designee is responsible for investigating formal complaints which meet the criteria of this policy.
- (a) The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the investigator and not on the parties.
 - (b) The respondent is not considered responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
 - (c) The university shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that party's voluntary, written consent to do so for a grievance process under this paragraph, or as permitted by law.
 - (d) The parties shall have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence during the course of the investigation. All parties are free to discuss the allegations under investigation or to gather and present relevant evidence.
 - (e) All parties shall have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice including an attorney. However, the advisor may not speak during any interview or proceedings, with the exception of the cross-examination portion of any hearing.
 - (f) Any party whose participation is invited or expected shall receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with sufficient time for the party to prepare to participate.
 - (g) Both parties shall receive an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

- (h) Prior to completion of the investigative report, the investigator shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties shall have ten calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.
 - (i) The investigator shall make all evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
 - (j) The investigator shall create an investigative report that fairly summarizes relevant evidence and shall provide a copy, in electronic or hard copy format, to the parties and their advisors at least ten calendar days prior to any hearing.
- (9) Hearings. Formal complaints that are not resolved informally or dismissed will result in a live hearing.
- (a) The hearing will be scheduled by the office of student conduct and will be held before a Title IX decision-maker. Where the complainant and respondent are both employees and/or faculty members, the Title IX coordinator will convene the hearing.
 - (b) Live hearings may be conducted with all parties physically present in the same geographic location, or participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
 - (c) The decision-maker shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing shall be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
 - (d) At the request of either party, the hearing may occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
 - (e) Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker shall first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Parties may not challenge the relevancy determination of the decision-maker, except on appeal.
 - (f) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- (g) If a party does not have an advisor present at the live hearing, the university shall provide without fee or charge to that party an advisor of the university's choice to conduct cross-examination on behalf of that party.
 - (h) If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) shall not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
 - (i) Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.
 - (j) Parties are not required to divulge any medical, psychological, or similar privileged records as part of the hearing process.
 - (k) The hearing convener shall create an audio recording for a live hearing and an audiovisual recording for a virtual live hearing. Such recording will be available to the parties for inspection and review upon written request to the convener.
- (10) Findings.
- (a) The hearing decision-maker shall issue a written determination simultaneously to the parties regarding responsibility/policy violation(s) and sanctions/discipline when responsibility/policy violation is found to have occurred. To reach this determination, the preponderance of the evidence standard (whether it is more likely than not that the alleged conduct occurred) will be used.
 - (b) The determination regarding responsibility and sanction(s)/ discipline becomes final either on the date that the university provides the parties with the written determination of the result of the appeal, if an appeal is filed; or if an appeal is not filed, the date on which an appeal would no longer be considered timely.
 - (c) The written determination shall include:
 - (i) Identification of the allegations potentially constituting sexual harassment.
 - (ii) A description of the procedural steps which were followed starting with the formal complaint and continuing through determination.
 - (iii) The finding of facts that support the determination.
 - (iv) A conclusion applying the appropriate definition of the university's policy to the facts.

- (v) A rationale for the result of each allegation regarding the determination of responsibility.
 - (vi) For respondents who are students, the hearing decision-maker shall consult with the vice president of student experience or their designee regarding sanctions. For respondents who are employees or faculty members, the hearing decision-maker shall consult with the chief human resources officer or their designee regarding discipline.
 - (vii) Information regarding whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided to the complainant. The Title IX coordinator is responsible for effective implementation of any remedies.
 - (viii) The procedures and bases for the complainant and respondent to appeal the determination.
- (11) Sanctions/discipline.
- (a) Students.
 - (i) Possible sanctions for student respondents: warning, conduct probation with or without loss of good-standing, restitution, educational sanctions, residential suspension, university suspension, residential expulsion, university expulsion, revocation of admission and/or degree, withholding degree, and fines.
 - (ii) "Serious misconduct" is defined as any act of sexual assault, domestic violence, dating violence, stalking, sexual exploitation, or any assault that employs the use of a deadly weapon, as defined in division (A) of section 2923.11 of the Revised Code, or causes serious bodily injury. Students found responsible for violations of the serious misconduct policy will face, at minimum, a sanction of conduct probation with loss of good-standing for one calendar year, preventing the student from participating in any extracurricular function, including athletics, student organizations, and student employment. After one year, students may petition the dean of students for permission to participate in extracurricular activities and employment.

Students returning from a sanction of suspension will automatically be placed on conduct probation with loss of good-standing for one calendar year, preventing the student from participating in any extracurricular functions, including athletics, student organizations, and student employment. After one year, students may petition the dean of students for permission to participate in extracurricular activities and employment.
 - (b) Possible sanctions/discipline for employee or faculty respondents: employment probation, demotion or reassignment, suspension with or without pay for a

specific period of time, termination of employment, ineligibility for rehire, and/or other sanctions or remedies as deemed appropriate under the circumstances.

(F) The appeal process.

- (1) Filing an appeal.
 - (a) Appeals are not a re-hearing of the allegation(s).
 - (b) Only a complainant or respondent (referred to as party or parties) may request an appeal.
 - (c) An appeal must be submitted in writing to the Title IX coordinator within five working days from receipt of a decision using the Title IX appeal request form and include all supporting material.
 - (d) A party may appeal the determination regarding responsibility, sanctions/discipline, and/or the university's dismissal of a formal complaint or any allegations therein.
 - (e) There are four grounds for appeal:
 - (i) Procedural irregularity that significantly impacted the outcome of the matter (for example material deviation from established procedures). The appeal request must cite specific procedures and how they were in error; and/or
 - (ii) New evidence that was not reasonably available at the time the original decision was made that could have affected the outcome. A summary of this new evidence and its potential impact must be included in the request. (Note: Failure to participate or provide information during an investigation or hearing, even based on concern over a pending criminal or civil proceeding, does not make information unavailable during the original investigation or hearing); and/or
 - (iii) The Title IX coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. The appeal must cite specific examples of how the bias affected the outcome.
 - (iv) The discipline/sanction(s) imposed are substantially outside the parameters or guidelines set by the university for this type of violation or the cumulative conduct record of the responding party.

- (2) Title IX appellate review officer (hereinafter referred to as appellate review officer). Upon receipt of a request for appeal, the Title IX coordinator will designate a Title IX appellate review officer as follows:
- (a) Appeals where the respondent is a student, the appellate officer will be either the vice president for student affairs or their designee or a deputy Title IX coordinator who did not participate in the investigation or hearing.
 - (b) Appeals where the respondent is a faculty member or employee, the appellate officer will be either the chief human resources officer or their designee or a deputy Title IX coordinator who did not participate in the investigation or hearing.
 - (c) The appellate officer cannot be the investigator, Title IX coordinator, or the person who acted as the decision-maker regarding the determination of responsibility/policy violation, or dismissal.
- (3) Appeal procedures:
- (a) Generally, within five business days after receipt of the request for appeal by the appellate review officer, the appellate review officer will conduct an initial review of the appeal request(s) to determine whether the appeal is timely and satisfies the grounds for appeal.
 - (b) If the appeal request is not timely or does not satisfy the grounds for appeal, the appeal request will be denied, the parties will be notified, and the finding and sanction or responsive action/remedies will stand. The decision not to accept an appeal request is final and is not subject to further appeal.
 - (c) If the appeal request is timely and meets the ground for appeal, the Title IX coordinator will notify the parties that the appeal has been accepted and will notify the non-appealing party that they may file a response within three business days from notification.
 - (d) The appellate review officer will then review the issues presented in the appeal and any response(s).
 - (e) The standard on appeal is whether there is relevant evidence/ information such that a reasonable person would support the decision(s).
 - (f) The appellate review officer can take one of the following actions:
 - (i) Affirm the original findings;
 - (ii) Remand the case to the original investigators or hearing panel for consideration of new evidence or to remedy a procedural irregularity;
 - (iii) Remand the case to a new investigator in a case of bias. The appellate review officer, may order a new investigation with a new investigator or hearing panel; or

- (iv) Administratively alter the finding if bias, procedural irregularity, or new evidence, unknown or unavailable during the original investigation, substantially affected the original finding and the associated sanctions or responsive action.
- (g) Decisions rendered by the appellate review officer or actions taken following the decisions appellate review officer's decision are final and not subject to further appeal.
- (h) Cases that are sent back to the investigator or hearing panel are not eligible for a second appeal.

(G) When a minor is involved.

When a report or formal complaint involves a student who has not yet reached the age of eighteen:

- (1) The Title IX coordinator will complete a safety assessment to provide an environment free of harm and to identify the student's legal guardian.
- (2) The Title IX coordinator or deputy coordinator advises the minor student of the responsibility of university staff to report child abuse as outlined in section 2151.421 of the Revised Code.
- (3) The Title IX coordinator or deputy Title IX coordinator works directly with the guardian in reviewing the university's sexual harassment policy and protocols, on and off campus resources available to the student, and seeking permission to investigate the report or formal complaint.
- (4) The student and guardian are advised of the university's student records and privacy practices available at <https://ysu.edu/registrar/ferpa> and specifically that the student's records and ability to make decisions transition to the student when they turn eighteen.
- (5) The student and guardian are advised that the "Compass Family and Community Services Rape Crisis and Counseling Center of Mahoning County" provides confidential and anonymous support for clients, including those who are not yet eighteen.

(H) Retaliation prohibited.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Complaints alleging retaliation may be filed according to the grievance procedures in this policy.

(I) Emergency actions.

The university may remove a student respondent from an education program or activity on an emergency basis after an individualized safety and risk analysis determines that an immediate

threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. The student respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. The university may place an employee respondent on administrative leave during the pendency of the grievance and appeal process.

(J) Supportive measures.

Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the university's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the university's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

(K) Confidential resources.

An individual who desires that the details of an incident be kept confidential may speak with professional licensed counselors who provide mental health counseling on campus. Pastoral or clergy and medical professionals also have legally protected roles involving confidentiality. A list of confidential resources is available at the university's [Title IX website](#).

(L) Nonconfidential reporting and recordkeeping.

- (1) Ohio law requires those not in a legally protected role with knowledge of a felony to report it to law enforcement. University personnel, including the Title IX coordinator, deputy Title IX coordinators, resident assistants and office of residence life and housing professional staff, are required to notify the university police department of any report of sexual harassment including interpersonal violence.
- (2) Conduct reported to the university police that may be a Title IX violation will be reported to the Title IX coordinator. A report to the university police or other law enforcement agency does not require the pursuit of criminal charges. Neither the complainant nor the respondent is under any obligation to speak with the law enforcement authorities, even when the conduct is reported to them.

(M) Conflict of interest.

The Title IX coordinator, any investigator, decision-maker, or any person facilitating a process under this policy shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent specifically.

(N) Miscellaneous

- (1) Training. Investigations and hearings are designed to provide a prompt, fair, and impartial resolution regarding an alleged violation of this policy disciplinary matter. All Title IX coordinators, investigators, decision-makers, advisors and appellate review officers, and any person who facilitates an informal resolution process are trained using appropriate materials that will not rely on sex stereotypes and will promote impartial, unbiased investigations and adjudications of complaints of Title IX sexual harassment.
- (2) Prevention and education programs. The university shall provide programs and/or training (collectively referred to as “trainings”) for employees and students designed to prevent and promote awareness of sexual harassment. The trainings shall be consistent with applicable legal requirements and university policies. The office of human resources, with oversight from the Title IX coordinator, or his/her designee, shall provide training for employees; and the office of student affairs, with oversight from the Title IX coordinator, or his/her designee, shall provide training for students. [Title IX website](#). For more information on Title IX and sexual misconduct, please see the university’s Title IX website.
- (3) False allegations. It is a violation of this policy for anyone to intentionally report information or allegations that they know, or reasonably should know, to be untrue or false. However, failure to prove an allegation is not equivalent to a false allegation.

DISCRIMINATION/HARASSMENT POLICY

3356-2-03 Discrimination/harassment.

Responsible Division/Office: Equal Opportunity, Policy Development, and Title IX
Responsible Officer: Director for Equal Opportunity, Policy Development, and Title IX
Revision History: June 2009; June 2015; September 2016; September 2019; September 2020; June 2021
Board Committee: University Affairs
Effective Date: June 3, 2021
Next Review: 2026
[Responsible Officer website](#).

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- (A) Policy statement. Youngstown state university (“university”) does not discriminate on the basis of race, color, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law in its programs or activities. The university is firmly committed to maintaining a working and learning environment free of discrimination and harassment of any employee, applicant for employment, student, or visitor. The university community seeks to eliminate discrimination and harassment through education and encourages staff, faculty, students, visitors, and volunteers to report concerns or

complaints. Prompt corrective measures will be taken to stop discrimination and harassment whenever it occurs.

This policy shall be interpreted and applied consistent with the speech protections of the first amendment of the United States Constitution.

- (B) Purpose. The purpose of this policy is to establish expectations for institutional and individual conduct, aid the university community in recognizing and preventing discrimination and harassment, and provide effective reporting and response mechanisms. For purposes of this policy, the university community includes, but is not limited to, all university employees, students, and any other individual visiting or engaging in any university activity or program.
- (C) Scope. This policy applies to students, faculty, employees (including student employees), third parties, campus visitors, or other individuals engaged in any university activity or program, regardless of sexual orientation or gender identity, and whether on or off campus. The prohibitions of this policy may, in some instances, be broader in scope than the legal prohibitions of state, federal, or other laws prohibiting discrimination or harassment. A determination that this policy has been violated is not equivalent to a violation of law.
- (D) Definitions. For the purpose of determining whether a particular behavior or course of conduct constitutes discrimination or harassment under this policy, the following definitions shall be used:
 - (1) “Discrimination.” Conduct that is based on an individual’s sex (including pregnancy), race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran/military status or any other basis protected by law that:
 - (a) Adversely affects a term or condition of an individual’s employment, education, or participation in a university activity or program; or
 - (b) Is used as the basis for a decision affecting an individual’s employment, education, or participation in a university activity or program; or
 - (c) Is sufficiently severe or pervasive to a reasonable person that it substantially interferes with an individual’s employment or educational performance or create a working, living, or educational environment that is intimidating, hostile, or abusive.
 - (2) “Harassment.” Conduct, or a course of conduct, that degrades or shows hostility toward an individual or group of individuals and is based on sex (including pregnancy), race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law, and is sufficiently severe or pervasive to a reasonable person that it:
 - (a) Unreasonably interferes with an individual’s employment or education; or
 - (b) Objectively creates a working, living, or educational environment that is hostile, intimidating, or abusive.

- (3) “Sexual harassment.” Sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive from both a subjective (the complainant’s) and an objective (reasonable person’s) viewpoint when it meets any of the following:
- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, academic status, or participation in a university program or activity.
 - (b) Submission to or rejection of such conduct by an individual is used as the basis for employment, academic, or programing decisions affecting the individual.
 - (c) The conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an employment, academic, or participation environment that is objectively intimidating, hostile, or abusive.
 - (d) Sexual harassment can be directed at a member of the same or different sex or sexual orientation. Examples of inappropriate conduct which may constitute sexual harassment include but are not limited to:
 - (i) Sexual advances or propositions, either explicit or implied.
 - (ii) Sexually suggestive or sexually degrading innuendo, comments or gestures.
 - (iii) Remarks or inquiries about sexual activity, sexual orientation, or gender identity or expression.
 - (iv) The display or communication of sexually oriented material (including through e-mail or other electronic means).
 - (v) Unwanted touching, hugging, or contacting another’s body.
 - (e) “Sexual harassment,” as defined in Title IX of the Education Amendments of 1972, is set forth in the university Title IX sexual harassment policy. (See rule 3356-02-05 of the Administrative Code, university policy “Title IX sexual harassment policy.” Students, faculty employees, volunteers, third parties, campus visitors or other individuals should refer to the Title IX policy referred to above for processes and procedures under Title IX.)
- (4) Speech or conduct protected by the First Amendment to the United States Constitution or Sections 3 and 11 of Article I of the Ohio Constitution is not harassment for purposes of this policy. Refer to university policy 3356-4-21, “Campus free speech; rule 3356-4-21 of the Administrative Code.
- (5) Intimidating, hostile, or abusive environment (collectively referred to as a hostile environment) is a specific form of discrimination and is often contextual and must be based on the circumstances. These circumstances include but are not limited to:

- (a) The frequency of the conduct.
 - (b) The nature and severity of the conduct.
 - (c) The relationship between the complainant and the respondent.
 - (d) The location and context in which the alleged conduct occurs.
 - (e) Whether the conduct was physically threatening.
 - (f) Whether the conduct was humiliating.
 - (g) Whether the conduct arose in the context of other discriminatory conduct.
- (E) No supervisor (including a faculty supervisor), manager, or official representative of the university shall directly or indirectly imply or threaten that an applicant, employee, or student's submission to or refusal of sexual advances will positively or negatively affect his or her employment, employment conditions, career development, or academic status. This prohibition includes, but is not limited to, instructors, faculty members, graduate assistants and teaching assistants.
- (F) Employee-student consensual relationships. Relationships that might be appropriate in other contexts may, within a university setting, create the appearance or basis for an abuse of power, conflict of interest, favoritism, or of undue advantage. Many university employees are entrusted with advising and mentoring students, evaluating their work, and recommending students for advancement in employment, programs or academia. The unequal institutional power which is inherent in such a relationship heightens the vulnerability of both the student and employee for possible abuse or coercion and can present real or perceived conflict.
- (1) For purposes of this policy, a consensual intimate or sexual relationship is a relationship of an intimate, dating, and/or sexual nature entered into with the consent of both parties (hereinafter referred to as a relationship for purposes of this policy).
 - (2) This policy applies to employees and individuals, whether paid or unpaid, who teach, coach, evaluate, supervise, advise, control, or influence student employment, academic, or resource opportunities. These individuals include but are not limited to:
 - (a) Faculty, lecturers, and instructors (including visiting faculty/ instructors),
 - (b) Graduate students,
 - (c) Teaching assistants,
 - (d) Academic advisors,
 - (e) Coaches,
 - (f) Residence hall professional staff.

- (3) Intimate relationships with students. Because of the elevated risk and the potential exposure of the university and employees to liability for violation of laws against sexual harassment and discrimination and in order to maintain an environment as free as possible from conflicts of interest and favoritism, no employee/individual as defined in this rule shall enter into a relationship with a Youngstown state university student, including but not limited to undergraduate, graduate, part-time, or full-time, regardless of whether or not there is a direct supervisory or evaluative relationship between them. Should a relationship predate either admission or employment with the university, the individuals involved in the relationship shall inform his/her immediate supervisor and dean and alternate supervisory or academic arrangements shall be made. This prohibition does not apply to married couples; however, rule 3356-7-01 of the Administrative Code regarding conflicts of interest should be consulted. (Corresponding university policy 3356-7-01 can be found on the "[University Policies](#)" webpage.)
- (G) Duty of managers and supervisors to act. Any supervisor, including executive and administrative officers, chairs, executive directors/directors, or faculty supervisor who becomes aware of information that would lead a reasonable person to believe that harassment and/or discrimination has or is occurring shall notify the office of equal opportunity and policy development ("EOPD") and/or human resources promptly but no later than five working days after becoming aware of the information. The office of human resources shall promptly notify EOPD.
- (H) Complaint procedures.
- (1) The university encourages all persons who believe they have experienced or witnessed discrimination or harassment to promptly file a complaint with EOPD. A complaint may be formal or informal. However, a complaint alleging a violation of this policy must be filed within three hundred days of the behavior or the last incident at issue. Delays in filing or reporting may make it more difficult for the university to conduct an investigation.
- (2) An individual also has the right to file a complaint with external agencies, including, but not limited to, the Ohio civil rights commission, the equal employment opportunity commission and/or the department of education. Utilizing the university's internal complaint procedure does not extend the deadline for filing a complaint with the external agencies. However, it is recommended that the complainant first exhaust the internal complaint procedures by promptly reporting the complaint.
- (3) The university may assume the role of a complainant and pursue a complaint either informally or formally when it obtains information that would lead a reasonable person to believe that this policy has been violated. In these instances, the university may take any action it deems appropriate, including informing the alleged perpetrator of the complaint and pursuing an investigation even in cases where an alleged victim of harassment or discrimination is reluctant to proceed. The alleged victim will be notified in advance when such action is necessary.
- (4) Complaint investigations will follow the procedures set forth in the university's "Guidelines for Initiating and Investigating Complaints of Discrimination and Harassment." These guidelines may be obtained from EOPD.

- (5) Information related to a report of discrimination and/or harassment will only be shared with those university employees who need to know in order to assist in the review, investigation, or resolution of a complaint. The university will make every reasonable effort to conduct all proceedings in a manner that will protect the privacy of all parties. Parties to the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.
- (I) Interim measures. During the course of an investigation, it may be necessary and advisable for the university to take appropriate interim measures that are reasonably available to alleviate the conduct which is the basis of a complaint. These interim measures may include, but are not limited to, separating the parties, placing limitations on contact between the parties, or making alternative academic, living or workplace arrangements. Failure to comply with the terms of interim measures is a violation of this policy and may result in corrective measures, even if the initial complaint is not proven.
- (J) Non-retaliation. University policy and state and federal law prohibit retaliation against an individual for reporting discrimination or harassment or for assisting or participating in an investigation. Persons who believe they are experiencing retaliation for reporting or participating in an investigation of a complaint are strongly encouraged to contact EOPD. Any person found to have retaliated against another for reporting, participating, or cooperating in an investigation will be in violation of this policy and will be subject to corrective measures and/ or sanctions independent of the merits of the original complaint.
- (K) Corrective measures.
- (1) When it has been determined that discrimination, harassment, or retaliation has occurred, steps will be taken to ensure that the prohibited behavior is stopped. Corrective measures and/or sanctions will be imposed consistent with the severity of the offense, applicable university procedures, and collective bargaining agreements. Corrective measures may include sanctions and/or discipline up to and including termination for employees and expulsion for students. In the event that a record of such sanctions will become a part of an employee's personnel records, prior notice will be given to the employee.
- (2) Sanctions may also be imposed on any individual with a duty to act under this policy and associated procedures, who fails to respond in a manner consistent with this policy to a complaint or reasonable information of discrimination, harassment, or retaliation.
- (3) To the extent possible under applicable law and policies, a complainant will be informed of the corrective measures taken.
- (L) False allegations. It is a violation of this policy for anyone to intentionally report information or allegations that they know, or reasonably should know, to be untrue or false. Sanctions may be imposed on individuals who make false accusations of discrimination or harassment. Failure to prove a claim of discrimination or harassment is not equivalent to a false allegation and no person shall be penalized for good faith reporting of concerns under this policy.
- (M) Use of discrimination and harassment allegations in employment actions or academic status decisions. When making decisions affecting an individual's employment or academic status, allegations of discrimination and harassment may be considered only if they have been

addressed through this policy or procedure, a court of law, or other administrative proceeding such as a student conduct hearing for a student accused of a policy violation. Whenever such an allegation is discussed as part of a determinant in the terms and conditions of an employment or academic status, the affected party should be given notice.

- (N) Policy and procedure administration. The office of equal opportunity and policy compliance is responsible for the administration of this policy and the associated procedures. However, all university employees, staff, and students play a role in preventing and reporting discrimination and harassment.
- (O) Educational goals and objectives.
 - (1) It is the goal of the university to prevent and eliminate discrimination and/or harassment and to foster an environment of respect for all individuals. In furtherance of these goals, every employee shall complete programs and/or training as directed by the office of human resources and/or the office of equal opportunity and policy compliance. The office of human resources, in conjunction with the office of equal opportunity and policy compliance, shall provide information, programs, and/or training to meet the following goals:
 - (a) Provide information about the university's policies relating to discrimination and harassment and the corresponding procedures and reporting mechanisms.
 - (b) Include information regarding this policy in orientation materials for new faculty, staff, students, and volunteers.
 - (c) Notify persons of inappropriate conduct and encourage appropriate behavior when interacting with others.
 - (d) Inform the university community about the problems caused by discrimination and harassment and the unacceptability and illegality of discrimination and harassment.
 - (e) Address issues of discrimination and harassment from a multicultural perspective.
 - (2) A statement regarding discrimination and harassment will appear in the university bulletins (graduate and undergraduate), on the webpage of the office of equal opportunity and policy development, and relevant portions shall be referenced in "The Student Code of Conduct."
- (P) Information, assistance, and counseling.
 - (1) Individuals may seek general information, anonymously or otherwise, regarding this policy by contacting any of the following offices/units. However, general inquiries with these offices/units will not be considered a report to the university and will not result in action under this policy.
 - (a) The equal opportunity, policy development, and Title IX office.
 - (b) The Resch Center for Academic Success/Office of Accessibility Services.

- (c) Housing and residence life.
 - (d) Office of human resources.
 - (e) Intercollegiate athletics.
 - (f) Office of student affairs through the ombudsperson.
- (2) A student may seek counseling or support services on campus from the university student counseling services during regular business hours (330-941-3737). Employees may contact the office of human resources for information on available counseling services. Information shared within the context of counseling services is considered confidential to the extent permitted by state and federal law.
 - (3) An individual who seeks information, assistance, or counseling may still utilize this policy to file a complaint.
 - (4) For information on sexual misconduct including sexual assault, dating violence, domestic violence, stalking, or any other conduct of a sexual nature that is carried out without consent or through force, threat, intimidation or coercion, please see rule 3356-2-3.1 of the Administrative Code. (Corresponding university policy 3356-2-3.1 can be found on the "[University Policies](#)" webpage.

CAMPUS FREE SPEECH POLICY

3356-4-21 Campus free speech.

Responsible Division/Office: Office of the President
 Responsible Officer: President
 Revision History: September 2014; December 2020: March 2021
 Board Committee: University Affairs
 Effective Date: March 4, 2021
 Next Review: 2026
[Responsible Officer website.](#)

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- (A) Policy statement. Youngstown state university values the freedoms of speech, thought, expression and assembly both as constitutionally guaranteed rights and as part of the university's core educational, research, and public service mission and shall not prohibit any individual from engaging in noncommercial expressive activity on campus, so long as the individual's conduct is lawful and does not materially and substantially disrupt the functioning of the institution. The university also recognizes that the exercise of these freedoms must be balanced with the rights of others to learn, work, and conduct business. Any speech or other expressive activities by persons under this policy should not be considered to be speech made by or on behalf of the university/administrators or to be endorsed by the university/administrators.
 - (B) Purpose. To provide guidelines for the free and orderly exchange of ideas on university grounds and to ensure that these activities do not imperil public safety, obstruct or damage university

facilities, or interfere with the university's mission and functions. To provide guidelines in accordance with state law section 3345.0211 to 3345.0214 of the Revised Code, known as the Forming Open and Robust University Minds (FORUM) Act, hereinafter referred to as the "FORUM Act."

(C) Definitions.

- (1) "Expressive activity" means all forms of non-commercial expression that are protected by the First Amendment to the U.S. Constitution, which may include peaceful assemblies, speeches, protests, picketing, leafleting, circulating petitions, distributing literature, and similar expressive communications and activities.
- (2) "Harassment" means unwelcome conduct that is so severe, pervasive and objectively offensive and speech that is not protected by the First Amendment of the U.S. Constitution or Article I of the Ohio Constitution (Unprotected Expression) that it effectively denies an individual equal access to the individual's education program or activity.
- (3) "Outdoor areas of campus" means the generally accessible outside areas of campus where members of the campus community are commonly allowed, such as grassy areas, walkways and other similar common areas. This does not include outdoor areas where access is restricted to a majority of the campus community.
- (4) "Materially and substantially disrupts" means when a person, with the intent to, or with knowledge of doing so, significantly hinders another person's or group's expressive activity, prevents communication of their message, or prevents the transaction of the business of a lawful meeting, gathering, or procession by either engaging in violent or otherwise unlawful behavior or physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity.
- (5) "Campus community" means students, student groups, faculty, staff, and employees of the state institution of higher education and their invited guests.

(D) Parameters.

- (1) Generally accessible outdoor areas of campus.
 - (a) Any person or group may use any publicly accessible outdoor areas of campus except decks, garages and driveways. Federal, state and local laws will be enforced as applicable. The use of walkways or other common areas may not block the free passage of others or impede the regular operation of the university. The university does not maintain free speech zones although reasonable time, place and manner restrictions may be necessary.
 - (b) Reasonable time, place and manner restrictions are permitted when in the service of a significant institutional interest if the restrictions are viewpoint and content neutral and provide for ample alternative means for expressive

activities. For example, amplification may be restricted during work or class hours or if the area is in use for an official university event, or a university-sponsored event; alternative options for the expressive activity shall be presented.

- (c) Prior approval is not necessary as long as the primary action is not to advertise or sell a commercial product.
- (d) Those seeking access to the university for commercial solicitation or advertising purposes should consult university policy 3356-7-19, "Access to campus for purposes of commercial solicitation or advertising." Employees should consult university policy 3356-7-25 regarding political activities of employees.
- (e) Facilities which are leased by the university and which do not have general access outdoor areas controlled by the university are not available for use under this policy.

(2) Harassment.

- (a) The campus community has the right to an environment free of conduct that unreasonably interferes, hinders or otherwise denies another the ability to have equal access to the education environment free from harassment, as defined in paragraph (C)(2) of this policy. The university community shall refrain from harassment while conducting expressive activities.
- (b) For conduct to violate this policy, the conduct must be more than merely offensive; it must be so objectively offensive, severe and pervasive that it denies one's access to education.
- (c) Examples of conduct considered harassment may include, but are not limited to, true threats; fighting words or words that actually provoke immediate violent reaction; obscenity (including child pornography); defamation or false statements; blackmail, criminal solicitation and other criminal speech and any other harassing speech that meets the definition of this policy.
- (d) This policy is not intended to impair any constitutionally protected expressive activity.
- (e) Any member of the campus community may file a complaint alleging "harassment," as defined herein, pursuant to university policy 3356-2-03. "Discrimination/ harassment." The compliant procedures as set forth in paragraphs (H) to (P) of university policy 3356-2-03, "Discrimination/harassment," shall be followed.
- (f) The standards of "harassment," as defined in other university policies such as in university policy 3356-2-03, "Discrimination/harassment" and university policy 3356-2-05, "title IX sexual harassment," may vary.

- (3) Large groups.
- (a) Any person or group whose use of an outdoor area is expected or reasonably likely to draw more than one hundred people should notify the university's police department at (330) 941-3527 at least three business days before the date of the expressive activity and provide information as to the specific location to be used for the event, the estimated number of persons, and the name and contact information of at least one person who can be contacted regarding logistics of the event, and shall include at least one person who will be personally present. If three business days' notice is not provided, the person or group must contact the university's police department as soon as reasonably possible prior to the event. A member of the campus community whose spontaneous and contemporaneous expressive activity results in a large group gathering is advised to notify the university police.
 - (b) Prior notice is necessary in order to ensure that there is sufficient space for the large group event, the large group event does not conflict with any other scheduled use of the outdoor area, and that sufficient university resources are available for crowd control and security.
- (4) Student use.
- (a) In addition to the right of access to generally accessible outdoor areas described above, any student, group of students, or registered student organization may seek to reserve the use of specific outdoor areas by contacting the office of university events. Reserving the space is not required but does result in priority use.
 - (b) A student or student organization request to reserve such area or space should be made at least two business days prior to the use. A request will be granted unless it would conflict or interfere with a previously scheduled event or activity or violate this policy.
 - (c) A student or student organization that has reserved a specific area or space under this policy will have priority over any other persons seeking to use the area or space during the scheduled time period. Any decision denying a request shall be promptly communicated in writing to the requester and shall set forth the basis for the denial.
- (5) Use of indoor space.
- (a) University indoor space is mainly dedicated to the mission of teaching, learning, research, extracurricular and student life and other university support activities. Specific buildings may have specific rules that govern these spaces and not all areas of buildings are available for the general public or even students or staff. Additionally, some spaces are reserved for use to specific faculty, staff or

students and other spaces require reservation to use. See university policy 3356-4-03, "University facilities – use, priorities, and fees."

- (b) Production and hosting of large events by the university or any other person or group should follow the guidelines set forth by the office of university events.
 - (c) Public bulletin boards. The university provides designated public bulletin boards for the purpose of posting materials. Refer to university policy 3356-4-17 regarding the display of posters and other printed materials.
 - (d) The university affirms its commitment to freedom of assembly and expressive activity at appropriate indoor spaces. However, activities in indoor spaces that materially and substantially disrupt the functioning of the institution are prohibited. Noise levels and crowds that impede or interfere with academic instruction and research or other scheduled events may be more disruptive indoors than in outdoor areas of campus. Determinations will be made by the administrator responsible for the space in consultation with other appropriate university officers and/or the YSU police.
 - (e) Issues of public safety are determination for the police to resolve.
- (6) Neutrality. All decisions and actions of university employees and agents made under this policy shall be content and viewpoint neutral.
- (E) Prohibited activities.
- (1) Any event or activity that disrupts the ability of the university to effectively and peacefully teach students, provide client services, or conduct any of its other business and support operations is prohibited. Examples include, but are not limited to, excessive noise, impeding vehicle or pedestrian traffic, and conduct otherwise unlawful.
 - (2) Damage to university property including, but not limited to, damage to grounds and landscaping, driving stakes or poles into the ground, hammering nails into buildings, fastening or attaching anything to sidewalks, paved areas, or any part of any building, structure, or fixture.
 - (3) Distribution or solicitation by placing any material on vehicles in the parking lots, decks or garages.
 - (4) Leaving trash, litter, materials, or pollutants in any area.
 - (5) Expressive activities that meet the definition of harassment under this policy.
 - (6) The university shall not charge security fees to a student, or a student group based upon the content of their expression, the content of the expression of their invited guest or the anticipated reaction to an invited guest's expression.

- (7) Materially and substantially disrupting another’s lawful expressive activity significantly hindering the person or group’s expressive activity, thus creating a “heckler’s veto.” This does not prevent counter demonstrations or other constitutionally protected expressions.
- (F) Enforcement.
 - (1) Administrators or academics charged with the responsibility of managing indoor and outdoor events: events management staff: administrators and academics responsible for the space where the activity is occurring are responsible for the enforcement.
 - (2) The Youngstown State University Police Department shall be responsible for making decisions involving the safety of the campus community. Any person who violates this policy may be subject to any order to leave university property and may be subject to arrest if that order is not promptly obeyed. Employees who violate this policy may be subject to discipline up to and including termination.
- (G) Dispute resolution. Any person or organization that believes unlawful, unreasonable, or arbitrary limitations have been imposed on their expressive activities in violation of the FORUM Act may file a [complaint](#). Any person or organization that believes they have suffered harassment as a result of another member of the campus community’s expressive activities under this policy may file a complaint with the office of equal opportunity and policy development and Title IX.
- (H) The FORUM Act requires that the university submit to the governor, speaker of the house of representative and the president of the senate a report detailing compliance with the Act within 180 days of the effective date of FORUM. This report shall also be published on the university’s website created for purposes of education on First Amendment issues. The website will contain materials, programs and procedures to inform those responsible for the education or discipline of students regarding free expression on campus.

POSTING ON CAMPUS

3356-4-17 Posting on campus.

Responsible Division/Office: Facilities Maintenance and Support Services and Student Affairs

Responsible Officer: VP for Finance and Business Operations

Revision History: September 2012; June 2017; June 2021

Board Committee: Finance and Facilities

Effective Date: **June 3, 2021**

Next Review: 2026

[Responsible Officer website.](#)

- (A) Policy statement. Youngstown state university (“university”) board of trustees recognizes the use of designated posting areas as an important means of communication within the university

community. In order to insure the sustainability, functionality, and aesthetics of the university, physical plant postings and other printed materials must be displayed in appropriate locations in accordance with this policy. The university acknowledges that a policy of this nature may not anticipate every possible issue that may arise with respect to posting on campus. As a result, the university reserves the right to impose reasonable restrictions and/or requirements with respect to time, place, and manner for display or posting activities. These restrictions may be in addition to, or in lieu of, those set forth in this policy.

- (B) Procedures. To provide guidelines and procedures by which the university community can share and promote campus news, information, ideas, programs, and events while also maintaining the overall aesthetic appearance of the campus and ensuring appropriate use of available space.
- (C) Scope. This policy applies to the availability and use of university bulletin boards, message boards, display cases, and facilities for the posting of materials, including but not limited to flyers, posters, poster boards, and leaflets.
- (D) General parameters.
 - (1) Materials may only be displayed on bulletin boards, message, display cases, or other locations specifically identified for the display of such materials.
 - (2) Printed materials must be affixed in a manner appropriate to the surface being utilized.
 - (3) Materials displayed for special occasions, such as red and white day, must not damage surfaces and must be carefully removed in a timely manner.
 - (4) Damage caused by improper posting and/or the cost of removal will be charged to the division, department, office, program, unit, activity, individual, or organization responsible for displaying the printed material.
 - (5) Materials advertising an event must be removed following the event.
 - (6) In order to provide abundant and fair access to audiences, materials may be removed after an advertised event has occurred and/or fourteen days after the original posting date.
 - (7) Courtesy and respect for the freedom of expression by others dictates that postings are not to be marked on, destroyed, or removed. Anyone discovered defacing postings will be subject to applicable sanctions and/or disciplinary action and could be subject to criminal charges.
- (E) Facilities operated by the office of student experience: Kilcawley center, the Andrews student recreation and wellness center, university residence and dining halls, and university courtyard apartments.
 - (1) Postings at the university courtyard apartments are monitored by the apartment manager. All other postings are monitored by the office of student experience.
 - (2) Bulletin boards are available for postings for official university events or activities;

events or activities sponsored or co-sponsored by a recognized university student organization, university department, program or office; for the exchange of information and ideas; and for events or activities sponsored by an individual or non-university group which may benefit or interest the campus community.

- (3) Upon approval of the office of student activities, the hallways or concourses of Kilcawley center may be made available to display poster boards for the same purposes.
 - (4) Postings must include a removal date no later than fourteen days after the original posting date.
 - (5) Any individual or group may post on community boards, but university event boards are reserved for use by campus departments or registered student organizations only.
 - (6) The office of student experience may impose additional time, place, and manner restrictions regarding postings, including but not limited to size, acceptable materials, and the time/date and/or duration of posting.
- (F) Academic, administrative, and administrative buildings.
- (1) Bulletin boards, message boards, display cases and other locations designated for the specific use of a division, department, office, program, or unit are available only for that specific use and shall be monitored by that division, department, office, program, or unit in accordance with applicable university policies and state and federal law.
 - (2) Each division, department, office, program, or unit may formulate additional procedures for posting material within its own confines.
- (G) Prohibited postings. The placement of posters, flyers, signs, or other similar materials on any permanent university structures, including but not limited to buildings, walls, windows, doors, elevators, traffic signs, light poles, fences, emergency call boxes, trees, or brick, glass or painted surfaces or any other area not specifically designated by the university as appropriate for posting is prohibited.
- (H) Disclaimer. Youngstown State University disclaims all responsibility for the contents of material postings at the university. Anyone posting on campus must be aware of current laws regarding libel, defamation, obscenity, and fair labor relations or other applicable laws. Postings promoting the sale or consumption of alcohol will not be permitted; however, postings promoting alcohol awareness and responsible decision making are permitted.
- (I) Violations. Postings not meeting the standards of this policy will be removed. Violations of this policy or any specific building posting policy may result in the loss of posting privileges and/or facilities use privileges, disciplinary and/or educational sanctions appropriate to the circumstances. University employees violating this policy may be subject to disciplinary action by the university.
- (J) Expressive activity. Individuals/groups wishing to engage in the free and orderly exchange of ideas on campus by utilizing generally accessible outdoor areas should consult rule 3356-4-21 of the Administrative Code; university policy 3356-4-21, "Campus free speech."

- (K) Commercial solicitation. Individuals/groups wishing to access the campus for purposes of commercial solicitation or advertising should consult rule 3356-7-19 of the Administrative Code; university policy 3356-7-19, "Access to campus for purposes of commercial solicitation or advertising."

WHERE TO POST ON CAMPUS

Individuals or groups may post notices, posters and materials on designated bulletin boards located in Kilcawley Center, Residence Halls and Dining Hall, Courtyard Apartments, and Andrews Student Recreation and Wellness Center identified below:

COMMUNITY BOARDS: posting permitted by any individual or group

- **Across from Guest Services** (Kilcawley Center)
- **Portable Community Board in The Cove** (Kilcawley Center)
- **Lobby** (Andrews Student Recreation and Wellness Center)
- **Christman Dining Commons** (Dining Hall)
- **Courtyard Apartment** (near Mailboxes)

UNIVERSITY EVENT BOARDS: for campus department or Registered Student Organization use only

- **Stairwell outside of Chick-Fil-A** (Upstairs and Downstairs, Kilcawley Center)
- **Vending area closest to Chestnut Room** (Kilcawley Center)
- **Lobby** (Andrews Student Recreation and Wellness Center)
- **Residence Halls** (Lyden, Cafaro Wick, Weller, Kilcawley House)
- **Courtyard Apartments** (Building 100 and 200)

REQUIREMENTS

- All posted materials must comply with YSU board policies, including 3356-4-17 Posting on campus and 3356-4-21 Campus free speech.
- **Each posting must clearly identify the date on which the material should be removed, no later than 14 days after original posting. Date stamp and labels are available at Guest Services on the second floor of Kilcawley Center.**
- All postings on University Event Boards must have the name and contact information of event planners visible.
- **To ensure adequate space for all, postings may not exceed 11" x17" in size.**
- No commercial notices may be posted.
- Posters promoting establishments that sell alcoholic beverages or related to alcohol will not be permitted. However, posters promoting alcohol awareness and responsible decision-making will be permitted.

REMOVAL OF MATERIALS AND NO-POST ZONES

- Postings may be removed after an event has occurred or after 14 days of being posted. If a removal date is not included on the posting, it may be taken down. Events posted on University Event Boards are for campus departments or registered student organizations only. All others will be removed.

- Notices may not be posted on trees, walls, windows, doors, partitions, lockers, mailboxes, woodwork, elevators, restrooms, labs or other structural features inside or outside the buildings. Notices posted outside authorized areas will be removed.
- Division of Student Affairs staff or designee will monitor and remove expired materials and materials that violate this policy.

THE ROCK

The Rock, located on the campus core outside of Kilcawley Center, has been a space for expression by the YSU campus community since it received its first coat of paint in 1967. It has now been consistently painted for more than 55 years.

There is not a reservation or approval process for painting The Rock. Individuals and organizations are welcome to paint the rock at any time, understanding that another message or design could be painted over it within a short timeframe. The Rock is the only piece of university property permitted to be painted by persons not affiliated with university facilities management and/or contracted by the university for professional painting services. Persons or entities painting the rock are responsible for the disposal of all waste and will ensure the area is left in a clean condition.

The Rock is an area of free speech. The university will not cover messages painted on The Rock unless language implies threats or harm to an individual.

SMOKE, TOBACCO, AND VAPE-FREE ENVIRONMENT POLICY

3356-4-01 Smoke, tobacco, and vape-free environment.

Responsible Division/Office: Finance and Business Operations
 Responsible Officer: VP for Finance and Business Operations
 Revision History: January 1997, November 2006; December 2011; June 2015; December 2019
 Board Committee: Finance and Facilities
Effective Date: December 5, 2019
 Next review: 2024
[Responsible Officer website.](#)

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- (A) Policy statement. Youngstown State University is dedicated to providing a healthy, comfortable, and productive work and living environment for its employees and students and adhering to the smoking prohibition requirements in Chapter 3794. of the Revised Code. The success of creating and maintaining a mutually acceptable work and living environment will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers.

- (B) Scope. This policy applies to students, employees, and third parties and to all university-owned, leased, or managed facilities, outdoor areas, and vehicles.
- (C) Purpose. To comply with Ohio smoking law, Chapter 3794. of the Revised Code, and to limit the exposure of university students, employees, and visitors to the effects of tobacco use, nicotine, secondhand smoke, electronic smoking devices (e.g., electronic cigarettes, electronic cigars, electronic hookah, electronic pipe), vaping/vapor, and aerosolized devices and products.
- (D) Definitions.
- (1) "Tobacco use." For purposes of this policy, "tobacco use" means the use of any tobacco or nicotine product, whether intended to be lit or not, including smoking, as defined below, as well as the use of electronic cigarettes or any other devices intended to simulate smoking or tobacco use or deliver nicotine, and the use of smokeless tobacco, such as snuff and chewing tobacco, and any other form of loose-leaf smokeless tobacco.
 - (2) "Smoking." Inhaling, exhaling, burning, or carrying any lighted or heated product intended for inhalation in any manner or any form. This includes, but is not limited to cigarettes, electronic or e-cigarettes, electronic cigars, electronic pipes, vaping devices, or any apparatus that creates an aerosol or vapor in any manner or in any form.
- (E) Parameters. Smoking, vaping, and tobacco use are specifically prohibited in the following university locations:
- (1) All university-owned or leased buildings and vehicles;
 - (2) Outdoor areas where smoke may enter the building through an entrance, overhang, windows, vents, loading dock or other openings to a building or other structure;
 - (3) All residence halls;
 - (4) Any outdoor patio that is not physically separated from a building;
 - (5) All outdoor events, such as but not limited to athletic events, concerts, or other performances, award ceremonies, and public speakers;
 - (6) Fountain seating area outside of Kilcawley;
 - (7) All outdoor areas posted as non-smoking.
- (F) Violations of paragraphs (E)(1) to (E)(4) of this rule are violations of state law, Chapter 3794. of the Revised Code, and university policy. Violations of paragraphs (E)(5) to (E)(7) of this rule are violations of university policy only.
- (G) Smoking shall be permitted in the following places owned or leased by Youngstown state university:
- (1) All outdoor areas not specifically listed above; and

- (2) Outdoor areas at least fifty feet away from the entrance, overhang, windows, vents, loading dock or other openings to a building or other structure, provided that smoke does not inadvertently enter the building.
- (H) Smoking cessation. Smoking cessation support will be made available periodically to members of the university community wishing to cease smoking.
- (I) Procedures.
 - (1) Complaints of violations of this policy may be brought to the attention of the vice president of finance and administration. Complaints of violations of state law may also be brought in accordance with reporting guidelines provided by the Ohio department of health.
 - (2) “Smoking prohibited” signs will be posted in accordance with Chapter 3794. of the Revised Code.
 - (3) Smokers are required to dispose of all smoking and tobacco litter in the receptacles provided in selected areas where smoking is permitted.
- (J) Enforcement.
 - (1) All employees and students share in the responsibility for adhering to and enforcing this policy.
 - (2) Individuals who violate this policy will be issued a university smoking prohibition warning, which could result in employee or student discipline. Individuals who violate state law and are reported to the department of health may be fined up to one hundred dollars.

DEADLY WEAPONS RESTRICTIONS

3356-7-03 Deadly weapons restrictions.

Responsible Division/Office: Police Department
 Responsible Officer: Associate Vice President for University Relations
 Revision History: March 2011; June 2017
 Board Committee: University Affairs
Effective Date: **June 14, 2017**
 Next Review: 2022
[Responsible Officer website.](#)

- (A) Policy statement. Persons entering the property of Youngstown State University (“university”) must comply with all laws and university policies and rules governing weapons.

- (B) Purpose. This policy is designed to create and maintain an environment that sustains the general health and well-being of students, employees, and visitors.
- (C) Scope. This policy applies to students, faculty, staff, visitors, vendors, contractors, and any other individual on or utilizing university owned or leased property. University owned or leased vehicles are covered by this policy at all times regardless of whether they are on university property.
- (D) Definitions.
- (1) "University property." All university owned or leased property, including but not limited to residence halls, grounds, buildings, facilities, and parking lots.
 - (2) "Deadly weapon." Any instrument, device, or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon. (See section 2923.11 of the Revised Code.)
- (E) Restrictions.
- (1) The illegal possession, use, or unauthorized storage of a deadly weapon, firearm, explosive device, incendiary device, ballistic knife, or dangerous ordnance (collectively referred to as "deadly weapons" for purposes of this policy), as defined by section 2923.11 of the Revised Code, is strictly prohibited on all university property.
 - (2) In addition to this policy, university students are also subject to restrictions within the student code of conduct, housing agreements, event policies, and other applicable university policies.
 - (3) Disabled weapons, realistic replicas or simulated/nonfunctional firearms are strictly prohibited.
 - (4) The use of any deadly or disabled weapon or realistic replica of such in a manner that harms or threatens persons or property is strictly prohibited, even if legally possessed.
 - (5) Live ammunition is strictly prohibited.
 - (6) See paragraph (G) of this rule for policy exemptions.
- (F) Conceal carry weapons license ("CCW"). All persons who enter university property are prohibited from carrying a concealed handgun/firearm, as prescribed under Ohio law, or prohibited weapon of any kind onto university property. This prohibition applies to all employees, students, faculty, visitors, customers and contractors on university property.

Possession of a valid concealed weapon permit authorized by the state of Ohio is not an exemption under this policy. An individual who has a valid CCW permit when on any university property must legally secure their firearm in a locked vehicle. University owned or leased vehicles may not be used to secure a firearm.

- (G) Policy exemptions. The following exemptions to this policy are allowed under the stated circumstances:
- (1) Any federal, state, local, or university law enforcement officer, while engaged in the performance of their official duties, or off-duty law enforcement officers qualified to possess an off-duty firearm by the officer's employing agency.
 - (2) Disabled weapons, realistic replicas, or simulated/nonfunctional firearms used for educational, artistic, or theatrical purposes with the prior authorization of the appropriate department chair or supervisor and the inspection and authorization of the university chief of police or designee.
 - (3) Students or cadre of the military science program (ROTC) acting in their official capacity shall be permitted to transport and utilize deadly weapons for training, special events, or demonstrations as prescribed by program policy.
 - (4) Any employee of the university who is employed as a maintenance worker, technician, groundskeeper, storekeeper, parking employee, vendor, contractor, or other position not listed above whose normal duties require the use of knives, utility knives, Leatherman tools, or other cutting instruments shall be permitted to possess, carry, and use those instruments while engaged in his or her normal course of duties.
 - (5) A university police academy instructor while engaged in the performance of their official duties and who is either employed as a law enforcement officer or is a retired law enforcement officer.
 - (6) A university police academy cadet during training of university police academy instructors as provided or approved by the university police officer training academy and/or the university police department.
 - (7) Any instructor of, or student enrolled in, the marksmanship class as provided by the university while on a shooting range during class hours.
- (H) Notification. The university conspicuously posts "Weapons Prohibited" signs at university facilities and parking areas surrounding university facilities.
- (I) Searches. Youngstown State University reserves the right to authorize searches based on reasonable, articulable suspicion for prohibited deadly weapons on its property as deemed necessary by the university to assure campus safety. Refusal to permit a search may result in student discipline up to and including expulsion and employee discipline up to and including termination.
- (J) Violations. Failure to abide by all terms and conditions of this policy may result in discipline up to and including termination for faculty and staff and expulsion for students, the filing of criminal charges, and/or removal from university property.
- (K) Reporting. Report any violations of this policy to campus police immediately.

- (L) Enforcement. The university police department is solely responsible for the oversight and implementation of this policy on university property. All requests for exceptions or deviation from this policy must be approved by the university chief or police or designee.
- (M) Limitations. This policy shall not be construed to create any duty or obligation on the part of the university to take any actions beyond those required by law.

ACCEPTABLE USE OF UNIVERSITY TECHNOLOGY RESOURCES

3356-4-09 Acceptable use of university technology resources.

Responsible Division/Office: Information Technology Services
 Responsible Officer: VP for Finance and Business Operations
 Revision History: August 1999; November 2010; December 2012; March 2016; June 2021
 Board Committee: Finance and Facilities
Effective Date: **June 3, 2021**
 Next Review: 2026
[Responsible Officer website.](#)

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- (A) Policy statement. University technology resources are provided to the university community to support its academic and administrative functions in accordance with its teaching, research, and service missions. These resources are intended to be used for the educational and business purposes of the university in compliance with this policy.
- (B) Scope. This policy applies to all users and uses of university-owned technology resources (including those acquired through grant processes) as well as to any non-YSU and/or remote technology devices while connected to the YSU network.
- (C) Parameters.
 - (1) Technology resources (computing, digital recordings, networking, data and network services) are provided to the university community in order to fulfill the mission of the university.
 - (2) While the university recognizes the importance of academic freedom and freedom of expression, as a public employer, the university also has a responsibility to comply with all federal and state laws and regulations, as well as the obligation to fulfill its mission.

- (3) Use of university-owned technology to access resources other than those supporting the academic, administrative, educational, research and services missions of the university or for more than limited, responsible personal use conforming to this policy is prohibited.
 - (4) Technology resources provided by the university are the property of the university. University-owned technology is not intended to supersede the need for technology purchases for personal purposes.
 - (5) As the university is a public entity, information in an electronic form may also be subject to disclosure under the Ohio public records act to the same extent as if they existed on paper. All use is subject to the identification of each individual using technology resources (authentication).
 - (6) Use of technology is subject to the requirements of legal and ethical behavior and is intended to promote a productive educational and work environment.
- (D) User requirements. All users of the university-owned technology resources (computing, digital recordings, networking and data), regardless of affiliation with the university, must:
- (1) Use only those technology resources that they are authorized to use and use them only in the manner and to the extent authorized.
 - (2) Protect the confidentiality, integrity and availability of technology resources.
 - (3) Comply with all federal, Ohio, and other applicable law as well as applicable regulations, contracts, and licenses.
 - (4) Comply with all applicable policies at Youngstown state university (“YSU”).
 - (5) Respect the right of other technology users to be free from harassment or intimidation.
 - (6) Respect copyrights, intellectual property rights, and ownership of files and passwords.
 - (7) Respect the privacy of other users and their accounts, regardless of whether those accounts are securely protected.
 - (8) Respect the finite capacity of technology resources and limit use so as not to consume an unreasonable amount of or abuse those resources or to interfere unreasonably with the activity of other users or to disrupt the authorized activities of the university.
 - (9) Limit personal use of university technology resources so that such use does not interfere with one’s responsibilities to the university.
 - (10) Not attempt to circumvent information technology security systems or the university “IT Security Manual.”
 - (11) Not use any radio spectrum space on any YSU-owned or YSU-occupied property, unless

it is part of an approved wireless services deployment by the university.

- (12) Not use technology resources for personal commercial purposes or for personal financial or other gain unless specifically approved by the university.
- (13) Not state or imply that they speak on behalf of the university without authorization to do so and not use university trademarks and logos without authorization to do so.

(E) User responsibilities.

- (1) By accepting employment, being admitted as a student, or asking for any guest technology resource privileges, users implicitly agree to adhere to this policy and agree to adhere to the university "IT Security Manual."
- (2) Users are responsible for any activity performed using their usernames and passwords except when account security is compromised by actions beyond the user's control.
- (3) Users are responsible for any activity performed on university-owned technology devices assigned to them except when the device is compromised by actions beyond the user's control.
- (4) There is no expectation of personal privacy when using university resources. See paragraph (F) of this rule.
- (5) Potential violations regarding use of technology resources should be reported to the appropriate information technology services manager(s) or information security officer.
- (6) Users are responsible for ensuring that critical data are backed up and available to be restored for systems not administered by information systems technology. This includes critical information contained on technology devices oriented to individual use (e.g., desktops, laptops, smart phones, and similar such devices).
- (7) Users are responsible for maintaining data in compliance with the university records retention plan.
- (8) Users are responsible for ensuring that sensitive information to which they have access is guarded against theft. (See university policy 3356-4-13, "Sensitive information/information security"; rule 3356-4-13 of the Administrative Code.)
- (9) Personal use of computing resources not otherwise addressed in this policy or these procedures will generally be permitted if such use does not consume a significant amount of resources, does not interfere with the performance of an individual's job or other university responsibilities, and is otherwise in compliance with university policies.

(F) No expectation of privacy.

- (1) The university does not routinely monitor specific individual end-user usage of its technology resources. However, the university does routinely monitor technology resource usage in the normal operation and maintenance of the university's computing,

network and data resources. This monitoring includes the caching and backing up of data and communications, the logging of activity, the monitoring of general usage patterns, the scanning of systems and networks for anomalies and vulnerabilities, the filtering of malicious traffic, and other activities that are necessary for the rapid and efficient delivery of services. Technology users should be aware that there is no expectation of privacy associated with the use of university technology resources.

- (2) When authorized by the office of the general counsel, the university may also specifically monitor the activity and accounts of individual end-users of university technology resources, including login sessions, file systems, and communications.
- (3) When authorized by the appropriate university administrator (president, vice president, or associate vice president reporting to the president), the university may access active end-user accounts, files, or communications used for university business when needed by a supervisor or assigned personnel for university business and the end-user is unavailable. For inactive end-users, such as retirees or terminated employees, the end-user's former supervisor or the individual currently holding the supervisor position may request access. For inactive student end-users the provost may authorize access. For all other inactive end-users, the general counsel may authorize access.
- (4) The university, in its discretion, may disclose the results of any such general or individual monitoring, including the contents and records of individual communications, to appropriate university personnel, student conduct, or law enforcement agencies and may use those results in appropriate university disciplinary proceedings.
- (5) Personal computing devices:
 - (a) Personal computing devices (laptops, desktops, tablets, cellular phones) are restricted to the campus wireless network or the residence hall network.
 - (b) No personal computing devices will be allowed to connect to the wired campus network (excluding the residence hall network).
 - (c) Personal computing devices must comply with university "IT Security Manual" when using the campus wireless network or other provided university technology resource.
 - (d) Personal computing devices used to conduct university business are subject to public records requests.
 - (e) Personal hubs, routers, switches, or wireless access points are prohibited from being connected to either the university's wired or wireless network.
- (G) Email. Email is an official means for communication at the university. Students, faculty, and staff are expected to check their official email address on a frequent and consistent basis in order to stay current with university communications.
- (H) Security. The university employs various measures (i.e., the university's "IT Security Manual") to

protect the security of information technology resources and user accounts; however, users should be aware that the university cannot provide good security without user participation. Users should increase their technology security awareness and fully employ access restrictions for their accounts, including using strong passwords, guarding passwords diligently and changing passwords regularly to help safeguard their use of technology.

- (I) Additional policy ramifications. Users must abide by all applicable restrictions, whether or not they are built into the computing system, network or information resources and whether or not they can be circumvented by technical or other means. Individuals who engage in electronic communications with persons in other states or countries or on other systems or networks may also be subject to the laws of those states and countries and the rules and policies of those technology systems and information resources.
- (J) Examples of unacceptable use:
 - (1) As a further aid to policy compliance, the following non-exhaustive list is provided of activities that are prohibited.
 - (a) Using technology resources to engage in fraud, defamatory, abusive, unethical, indecent, obscene, pornographic and/or unlawful activities is prohibited.
 - (b) Using technology resources to procure, solicit, or transmit material that is in violation of sexual, racial or other harassment or hostile workplace laws is prohibited.
 - (c) Any form of harassment by electronic means (e.g., email, videoconferencing, web access, phone, paging), whether through language, content, frequency or size of messages is prohibited. (Refer to university policies 3356-2-03, "Discrimination/harassment," 3356-2-05, "Title IX sexual harassment policy," and 3356-4-21, "Campus free speech"; rules 3356-2-03, 3356-2-05, and 3356-4-21 of the Administrative Code.)
 - (d) Making fraudulent offers of products, items or services using any university technology resource is prohibited.
 - (e) Using technology resources for unauthorized or inappropriate financial gain, unauthorized solicitation, or activities associated with a for-profit business, or engaging in an activity that involves a conflict of interest. (Refer to university policies 3356-7-01, "Conflicts of interest and conflicts of commitment" and 3356-7-19, "Access to campus for purposes of commercial solicitation or advertising"; rules 3356-7-01 and 3356-7-19 of the Administrative Code.)
 - (f) Creating or forwarding chain letters, Ponzi, or other pyramid schemes is prohibited.
 - (g) Broadcasting of unsolicited mail or messages is prohibited. Examples include chain letters, virus hoaxes, spam mail, and other email schemes that may cause excessive network traffic. Sending large numbers of electronic mail messages

for official university purposes necessitates following the university's procedures for the electronic distribution of information.

- (h) Sending junk mail or advertising material to individuals who did not specifically request such material (email spam) is prohibited.
 - (i) Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including but not limited to, the installation or distribution of pirated or other software products that are not appropriately licensed is prohibited.
 - (j) Unauthorized copying and downloading of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music and films and the installation of any copyrighted software for which an active license has not been procured is prohibited.
 - (k) Circumventing user authentication or security of any host, network or account is prohibited. This includes, but is not limited to, monitoring by use of keylogging or session logging.
 - (l) Revealing your account password to others or allowing use of your account by others is prohibited. This prohibition extends to family, other household members, friends and/or co-workers.
 - (m) Attempting to log onto another user's account (secured or otherwise) is prohibited.
 - (n) Sending electronic communications in such a way that masks the source or makes it appear to come from another source is prohibited.
 - (o) Personal use beyond limited responsible use is prohibited.
 - (p) Digital recordings of any sensitive nature, such as manager-employee personnel discussions/interactions or any discussions that email sensitive or protected data (i.e., FERPA, HIPAA, etc.), as well as recording of any meeting or conversation without full disclosure that the interaction is being recorded. All recordings become subject to the public records law of Ohio, university policy 3356-9-07, "Public records" and 3356-9-09, "Records management" (rules 3356-9-07 and 3356-9-09 of the Administrative Code).
- (2) Exemptions. Individual university staff may be exempted from these restrictions on a case-by-case basis (with written authorization according to the university "IT Security Manual") in the course of performing legitimate job responsibilities.
 - (3) Passwords. Special procedures exist and must be followed to ensure that accounts for employees are secured with passwords known to only the account holder. Passwords may be changed at the request of the area supervisor and approved by the supervisor's

vice president or the president.

- (4) Under no circumstances is an employee of Youngstown state university authorized to engage in any activity that is unethical or illegal under local, state or federal law while utilizing university-owned resources.

(K) Enforcement.

- (1) The office of the chief information officer (CIO) may suspend and/or restrict either an individual's or a device's access to the university network resource if:
 - (a) It is deemed necessary to maintain the security or functionality of the network resource.
 - (b) It is deemed necessary to protect the university from potential liability.
 - (c) The account, system, or device is believed to have been either compromised or is in violation of this policy.
- (3) The office of the CIO must immediately report the enforcement action and the justification for the action to the vice president of student affairs, vice president for finance and administration, or provost (or their designee), as applicable. The university may permanently suspend all technology access of anyone using the university network resource until due process has been completed by student conduct, employee administrative discipline and/or law enforcement agencies.

STUDENT TRAVEL

[Student organization travel website.](#)

[Environmental and Occupational Safety website.](#)

3356-8-07 Student travel.

Responsible Division/Office: Academic Affairs

Responsible Officer: Provost and Vice President for Academic Affairs,

Vice President for Finance and Business, Vice President Student Affairs, Institutional Effectiveness, and Board Professional

Revision History: June 2017; December 2017; June 2018; June 2023

Board Committee: Academic Excellence and Student Success

Effective Date: June 22, 2023

Next Review: 2028

[Responsible Officer website.](#)

- (A) Policy statement. Youngstown state university (university) recognizes that students can and do benefit from learning experiences which occur off-campus. The university seeks to provide safe opportunities and methods of transportation and to mitigate any risks that might be associated with student travel for off-campus activities and events.

- (B) Purpose. To provide the framework for planning and implementing student travel.
- (C) Scope. This policy applies to enrolled and matriculated undergraduate and graduate student travel and student organization travel to events or activities that are organized and/or sponsored by the university and to international travel for study abroad programs available through the university's international programs office (IPO).

This policy does not apply to travel undertaken by individual students attending out-of-town athletic/recreational events; to students traveling to engage in domestic student teaching, internships, experiential practicum, observations or research; or to student athletes participating in intercollegiate athletics competitions under the sponsorship of the university's athletics department.

- (D) Definitions for purposes of this policy.
 - (1) "Enrolled student" - a student who has been admitted to and is attending classes at the university.
 - (2) "Matriculated student" - a student who has been admitted to the university, has registered a major, and is attending classes at the university towards a degree.
 - (3) "Student organization" - a student group or organization officially registered and recognized by the university.
 - (4) "Student organization member" - an enrolled or matriculated student who is a current member of a student organization.
 - (5) "University-organized event or activity" - an event or activity that is planned and arranged by a member of the university's faculty, staff, or a recognized student organization and is approved by the appropriate university official.
 - (6) "University-sponsored event or activity" - an event or activity that is endorsed by the university through financial support or by sending student participants as official representatives of the university and is approved by the appropriate university official.
 - (7) Appropriate university official.
 - (a) For approval of course or faculty-sponsored travel, the dean, or designee, of the applicable college is the appropriate university official.
 - (b) For approval of student organization travel, the associate vice president for student experience, or designee, is the appropriate university official. However, for student organizations traveling internationally, travel approval is required from both the associate vice president of student experience or designee and the associate provost for international and global initiatives or designee.

- (c) For study abroad programs, the associate provost for international and global initiatives, or designee, is the appropriate university official.
- (d) For travel on behalf of a program, office, or department not noted in this paragraph, the appropriate university official will be the highest level administrator overseeing the program, office, or department, excluding the president and vice presidents of the university.
- (8) Designated trip leader. A university representative/faculty member/advisor who serves as the point of contact to and from the university during travel. When no representative/faculty member/ advisor is on a trip, a student may serve as the designated trip leader.

(E) General requirements. The following requirements apply to all travel under this policy.

- (1) Enrolled students, including college credit plus students, under the age of eighteen are not permitted to travel. However, see paragraph (D)(1) of this rule which allows participants in certain university sponsored educational or sports programs/activities that are under the age of eighteen to travel as part of their participation in the program/activity.
- (2) Matriculated students under the age of eighteen are permitted to travel provided that the student's parent/guardian completes and signs the "Off-Campus Travel and Assumption of Risk" form and the "Authorization for Emergency Medical Treatment" form.
- (3) A student wishing to travel as part of a student organization event or activity must be a current member of the student organization.
- (4) Unless otherwise specified, the university does not provide medical insurance for any student's participation in travel. All student participants should maintain medical insurance and are responsible for any medical costs they incur during and/or as a result of the trip.
- (5) All students traveling internationally must obtain international travel medical insurance through the university's IPO.
- (6) Participants in student travel are responsible for their own behavior and any resulting consequences. The university shall not be liable for any loss, damage, injury, or other consequence resulting from a participant's failure to comply with university rules and policies, including the student code of conduct, the direction of university employees, or applicable law.

- (7) Travel must be consistent with the goals of the academic unit, program, or department. Student organization travel must be consistent with the organization's mission statement. The individuals requesting approval for course or faculty sponsored travel, student organization travel, study abroad travel, or travel on behalf of a program, office or department must complete the "Travel Justification Form" available on the university's [risk management website](#) and said form will be electronically routed to the appropriate university office for review.
 - (8) Travel must have either a university representative or faculty member/advisor as a designated trip leader. However, if students are traveling on their own for the purpose of a recognized student organization and university funds are being utilized to support the activity, then the president or representative of the student organization or the designated trip leader must meet with the associate vice president of student experience, or designee, prior to the trip to review details of the trip.
 - (9) Travel must be supported by an approved "Student Travel Authorization Form," with the exception that students on study abroad programs offered through the IPO will complete program specific form(s) in lieu of the authorization to travel form.
 - (10) Participants must complete and submit an "Off-Campus Travel and Assumption of Risk" form and an "Authorization for Emergency Medical Treatment" to the office of the appropriate university official at least five business days prior to scheduled travel within the United States and at least thirty days prior to international travel. The appropriate university officials may alter these time periods within their discretion for travel, which cannot be preplanned, such as university-sponsored student travel for athletics playoff competition. Students on study abroad programs offered through the IPO will complete program-specific form(s) in lieu of these forms.
 - (11) Friends and family of participants and designated trip leaders are not eligible to participate in student travel opportunities except in those instances where prior written permission of the appropriate university official has been given, appropriate forms have been submitted, and required insurance coverage has been obtained.
 - (12) Students are responsible for making arrangements to complete all assignments and/or examinations that are scheduled during travel.
 - (13) Training. Designated trip leaders and authorized university officials must complete student travel training.
 - (14) Sponsors or organizers of events or activities may impose additional requirements in order to address unique circumstances associated with a particular activity, destination, or travel.
- (F) Transportation. The university office, unit, or department planning or sponsoring an event or activity should be prepared to arrange for transportation by university-owned or rental vehicle;

contracted/chartered transportation service; regularly scheduled transportation service (e.g., Greyhound, Amtrak, commercial airline service); or if necessary, personal vehicles. Contracting, purchasing, and insurance requirements can be found on the university's procurement services website.

The following rules apply to transportation:

- (1) University-owned or leased vehicles may only be utilized in a manner compliant with rule 3356-4-18 of the Administrative Code, university policy 3356-4-18 "Use of university vehicle".
 - (2) All university purchasing policies apply when procuring chartered or commercial transportation.
 - (3) Personal vehicles may only be used on a voluntary basis. All participants choosing to ride in a private automobile do so voluntarily and at their own risk. The university shall not insure or accept liability for any damage, loss, or injury resulting from the use of a private vehicle. The university does not provide comprehensive or collision insurance for private vehicles driven on university business, and the vehicle owner/driver is responsible for insurance coverage for the vehicle. The university does carry non-owner excess liability coverage to protect the university, student, or employee in the event of a suit resulting from an automobile accident in which an employee was driving on university business.
 - (4) Under no circumstance will a vehicle driver be reimbursed for fines for moving or parking violations.
 - (5) Occupants of motor vehicles must use seat belts or other approved safety restraint devices as required by law or regulation at all times when the vehicle is in operation.
 - (6) Occupants of motor vehicles shall not consume, possess, or transport any alcoholic beverages or illegal substances.
- (G) Accident and emergency procedures. Prior to travel, designated leaders and group participants shall review the YSU "[Student Crisis Notification and Response Plan](#)" found on the [dean of students website](#) and any appendices and follow applicable guidance and suggestions.
- (H) Accommodations for students with disabilities. Any student with a disability who requires accommodation, must contact the office of accessibility services for assistance in determining reasonable accommodations. The office of accessibility services will consult with the sponsoring unit regarding this determination.
- (I) Student travel pursuant to educational or sports programs. Participants in university sponsored educational or sports programs/activities such as upward bound, academic achievers, summer or sports camps, and who are under the age of eighteen, are permitted to travel as part of their

participation in the educational or sports program/activity regardless of whether they are enrolled students. Travel pursuant to such programs must have at a minimum a designated trip leader who is over the age of eighteen, a student travel authorization form, a waiver and assumption of risk form, an emergency medical treatment form, and emergency contact and response guideline. University employees (including student employees), volunteers, and participants must adhere to rule 3356-7-56 of the Administrative Code (see university policy 3356-7-50, "Minors on campus") and all other applicable rules, regulations, and university policies.

- (J) Compliance. Failure to comply with any policy requirements may result in restrictions or loss of travel opportunities, travel funds and/or reimbursements. Students and student organizations are subject to sanctions under "The Student Code of Conduct" up to and including expulsion and loss of organization recognition. Employees are subject to discipline up to and including termination.

ANTI-HAZING

- [Hazing Prevention and Education Website](#)
- [Report a Suspected Incident of Hazing](#)

3356-8-08 Anti-hazing.

Responsible Division/Office: Student Affairs
Responsible Officer: Associate VP Student Experience/Dean of Students and Ombudsperson
Revision History: December 2021
Board Committee: Academic Excellence and Student Success
Effective Date: **December 2, 2021**
Next Review: 2026

- (A) Policy statement. Youngstown state university (university) condemns hazing and is committed to providing a safe environment in which members of the learning community may participate in experiences and activities without compromising their health, well-being, dignity, and/or rights. Prevention of hazing is the responsibility of every member of the university community, including students, student organizations, university-sponsored programs, coaches, student groups, faculty members, employees, volunteers, and alumni.
- (B) Purpose. This policy governs the university's implementation of Collin's Law: The Ohio Anti-Hazing Act. The policy defines key terms; prohibits hazing and related conduct; describes reporting duties; establishes corrective action and discipline for violating the policy; details how information about hazing violations shall be shared and reported; and sets forth the requirements for anti-hazing educational and training programs.

(C) Scope.

- (1) The policy shall apply to any act of hazing or violation of paragraph (G) of this policy that takes place on or off campus between two or more people who are affiliated with the university.
- (2) This policy applies to all members of the university community, including faculty, staff, students, volunteers, organizations, university-sponsored programs, as well as visitors and other licensees and invitees.
- (3) NCAA student-athletes shall follow the policies and guidelines set forth by the NCAA, the affiliated conference, and the university department of athletics in addition to this policy.

(D) Definitions.

- (1) "Hazing," as set forth in section 2903.31 of the Revised Code, as amended, means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization, or any act to continue or reinstate membership in or affiliation with any student or other organization, that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code. (See 3356-8-01.1, "The Student Code of Conduct," which prohibits hazing.)
- (2) "Organization" means any university-sponsored program or registered student organization recognized by or operating under the sanction of the university, including but not limited to: registered student organizations, Greek life, club sports, athletics, honors college, student programming board, student government, student media, marching band, music ensembles and theater. "Organization" includes a national or international organization with which a fraternity or sorority is affiliated.
- (3) "Student" means all persons registered for courses, seminars, and workshops at the university, either full-time or part-time, pursuing undergraduate, graduate, professional studies, or continuing education. This includes college credit plus students and Youngstown early college students. Also included are those individuals accepted for admission or living in the residence halls, whether enrolled at the university.
- (4) "Staff" means any individual employed by the university, including administrators, employees, faculty members, teachers, consultants and coaches. "Staff" does not include student employees.
- (5) "Serious physical harm" means any of the following:

- (a) Any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment;
 - (b) Any physical harm that carries a substantial risk of death;
 - (c) Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity;
 - (d) Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement; or
 - (e) Any physical harm that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.
- (E) Procedure. The division of student affairs shall be responsible for developing and enforcing anti-hazing procedures and policies at the university. The office of human resources shall assist the division of student affairs with the development and enforcement of the anti-hazing policy where it pertains to staff, coaches, and volunteers who are registered with human resources.
- (F) Duty to report hazing violations.
- (1) All university staff, coaches, alumnus, and volunteers are required to immediately report the suspicion or knowledge of a hazing incident to:
 - (a) University police at 330-941-3527; and
 - (b) The law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred; and
 - (c) The office of community standards and student conduct in person or through the [online reporting form](#) on the website.
 - (2) All students, parents, and members of the community are encouraged to immediately report the suspicion or knowledge of a hazing incident to:
 - (a) University police at 330-941-3527; and/or
 - (b) The law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred; and/or

- (c) The office of community standards and student conduct in person or through the [online reporting form](#) on the website.
 - (3) Students, parents, and members of the community may report known or suspected incidents of hazing anonymously.
 - (4) Amnesty. The university encourages students to report potential violations of university policies, including the anti-hazing policy. Students who report potential incidents of hazing may be exempted from the formal student conduct process for minor policy violations that arose out of, or were committed as a direct result of, the reported incident. The office of community standards and student conduct has complete discretion to determine whether to grant an exemption in such cases. Exemptions do not apply to behaviors that endanger or harm the health, safety, or well-being of others. Hazing is considered a behavior that endangers the health, safety, or well-being of others; and, therefore, students will not be exempted from any actions taken to participate in, condone, or act in complicity with hazing.
- (G) Prohibited conduct.
- (1) No person or organization shall commit hazing as defined in paragraph (D)(1) of this policy.
 - (2) No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization shall recklessly permit the hazing of any person associated with the organization.
 - (3) No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization who is acting in an official and professional capacity shall recklessly fail to immediately report the knowledge of hazing to university police and to the law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred.
 - (4) No person or organization shall retaliate against or take adverse action toward any reporting party and/or any person participating in a hazing investigation or disciplinary proceeding.
- (H) Criminal sanctions.
- (1) Participating in hazing. Pursuant to section 2903.31 of the Revised Code, a person who recklessly participates in the hazing of another commits a misdemeanor of the second degree. If the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to the other person, the criminal penalty is increased to a felony of the third degree.

- (2) Permitting hazing. Pursuant to section 2903.31 of the Revised Code, an administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization who recklessly permits the hazing of any person associated with the organization commits a misdemeanor of the second degree. When the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to that person, the criminal penalty is increased to a felony of the third degree.
 - (3) Failure to report hazing. Pursuant to section 2903.311 of the Revised Code, an administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization who is acting in an official and professional capacity who recklessly fails to immediately report the knowledge of hazing to a law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred commits a misdemeanor of the fourth degree. When the hazing causes serious physical harm, the criminal penalty is increased to a misdemeanor of the first degree.
- (I) University sanctions.
- (1) [University policy 3356-8-01.1, "The Student Code of Conduct"](#) governs student conduct investigations, hearings, and sanctions for hazing, including hazing violations by student groups and registered student organizations. See "Article IV, Student conduct procedures." The Dean of Students, or designee, shall coordinate the investigation of all hazing allegations.
 - (2) Appropriate penalties for a violation of the anti-hazing policy shall be based on the severity of the violation and may include any of the following:
 - (a) Educational sanctions, including but not limited to topical reflections, online modules, campus referrals, continued enrollment status agreements, and re-entry plans;
 - (b) The imposition of fines;
 - (c) Withholding of diplomas or transcripts pending compliance with the rules or payment of fines;
 - (d) The revocation of permission for an organization to operate on campus or to otherwise operate under the recognition or sanction of the institution; or
 - (e) The imposition of probation, suspension, or expulsion.

- (3) Staff who violate this policy shall be subject to disciplinary proceedings under the collective bargaining agreement governing their position. Excluded professional administrative employees and excluded classified employees not covered by a collective bargaining agreement will be subject to disciplinary proceedings established by the office of human resources.
 - (4) A penalty imposed under this policy shall be in addition to a penalty imposed for a violation of section 2903.31 of the Revised Code, the criminal laws of Ohio, or for a violation of any other rule of the university to which the individual or organization who committed the violation may be subject.
- (J) Reporting/posting requirements.
- (1) The university shall provide a copy of the anti-hazing policy and policy 3356-8-01.1, "The Student Code of Conduct" to each organization within the university.
 - (2) The university shall post the [anti-hazing policy](#) on the website of the division of student affairs.
 - (3) Beginning in the 2022-2023 academic year, the university shall maintain a report of all violations of the anti-hazing policy or other state law regarding hazing that are reported to the university. The report shall be posted on the website of the office of community standards and student conduct.
 - (4) Each report referenced in paragraph (J)(3) of this policy shall include all of the following:
 - (a) The name of the subject of the report;
 - (b) The date when the subject of the report was charged with a violation of the anti-hazing policy or other state law regarding hazing;
 - (c) A general description of the violation, any investigation and findings by the university, and any penalties imposed on the subject of the report; and
 - (d) The date on which the matter was resolved.
 - (5) The initial report required by paragraph (J) of this policy shall be posted on the website of the office of community standards and student conduct no later than January 15, 2023 and shall include information concerning hazing violations that have been reported to the university

for the five consecutive years prior to October 7, 2021 to the extent that the university retained information concerning the violations.

- (6) After the posting of the initial report referenced above, the university shall update the report on the first day of January and August of each year and shall post the updated report on the website of the office of community standards & student conduct.
 - (7) The university shall retain reports for five consecutive years.
 - (8) Reports issued under paragraph (J) of this policy shall not include personal identifying information of an individual and shall be subject to the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g.
- (K) Educational program and training requirements.
- (1) Students.
 - (a) The university shall provide all students with a mandatory educational program on hazing (educational program), which may be offered online or in person. The educational program shall include information regarding hazing awareness, prevention, intervention, and this anti-hazing policy. Newly admitted students will be provided training at the time of orientation.
 - (b) The university shall offer at least one opportunity for students to complete the educational program during new student orientation.
 - (c) Each student's attendance at the educational program shall be verified.
 - (d) Students are prohibited from participating in an organization recognized by or operating under the sanction of the university until the student attends the educational program. Students who participate in organizations without completing the required educational program will be referred to the office of community standards and student conduct for failure to comply with the anti-hazing policy.
 - (2) Staff, alumnus, and volunteers.
 - (a) No administrators, employees, faculty members, teachers, consultants, staff, alumni, and volunteers shall recklessly permit hazing or fail to immediately report it to university police and to the law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has

occurred. See paragraphs (G)(2) and (G)(3) of this policy. The university shall encourage these individuals to take the online hazing awareness training provided to students.

(b) The university shall provide mandatory training on hazing, which shall include information on hazing awareness, hazing prevention, and this anti-hazing policy, to all staff and volunteers that:

(i) Advise or coach an organization recognized by or operating under the sanction of the university; and

(ii) Have direct contact with students.

(3) Organizations.

(a) Organizations, including university-sponsored programs, recognized by or operating under the sanction of the university shall conduct mandatory training on hazing for any volunteer who has contact with students. The division or department responsible for the organization shall ensure that the training is completed by all volunteers.

(b) No organization shall accept or initiate any student who has not attended the mandatory anti-hazing educational program identified in paragraph (K)(1)(a) of this policy.

(c) No organization shall permit a volunteer, staff, coach, or faculty to assist if they have not completed the mandatory training.

COPYRIGHT INFRINGEMENT AND UNAUTHORIZED DISTRIBUTION POLICY

As a member of the Youngstown State community, it is important for you to know and understand the policies and governing procedures related to material that is covered under copyright protection. Please become familiar with the selections below that highlight important information pertaining to the copying and distribution of material. As you acquaint yourself with the following be aware that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities. Please see the summary below for more information on possible penalties.

Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. Penalties for copyright infringement include civil and criminal penalties. In

general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the Web site of the [U.S. Copyright Office website](#), especially their [FAQs](#).

Referrals of Alleged Student Misconduct to the Office of Community Standards & Student Conduct

Current Youngstown State University Board of Trustee Policy language specific to information protected by copyright law Acceptable Use Policy (AUP) Board Policy (3356-4-09 Acceptable use of university technology resources.) Also, covered in this policy are the guidelines to disciplinary actions that may result against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using the institution’s information technology system. Per the policy, any situations that include potential violations by a student will be referred to the Office of Community Standards & Student Conduct for review. If a student is found in violation of a policy, they will be appropriately sanctioned, up to and including expulsion from Youngstown State University. Possible sanctions are explained further in *The Student Code of Conduct*, which can be found in this handbook and on the [Office of Community Standards & Student Conduct website](#).

ADDITIONAL UNIVERSITY POLICIES GOVERNING STUDENTS

Student Organization Policies

Youngstown State University recognizes and celebrates the value of student organization involvement and leadership on campus. Policies governing the registration and privileges of registered student organizations may be found on the [Student Activities website](#).

Use of University Name

Student organizations/groups may not use the University’s name without the expressed authorization of the University except to identify institutional affiliation. University approval or disapproval of any political or social issue may not be stated or implied by any organization. The official letterhead stationery, envelopes, logo, seal, or use of “Pete” or “Penny” trademarks of the University may not be used in, or for, any publication, correspondence, or other printed material prepared or distributed by the organization/group or its officers without prior submission of the material to and written permission received from the Director of Marketing and Communication (or designee) or Athletics (use of Pete or Penny). If the name of the University is used in a letterhead on organizational stationery, it must appear in accordance with guidelines as set forth in the [Visual Identity Guide](#) published through University Marketing & Communications . Website for [Student organization university logo use policy](#).

Resident Handbook

The Resident Handbook is intended to inform residents about the important aspects of living in our residence halls. One of the first responsibilities of a resident is to read and become familiar with information in the handbook. All information contained in the Resident Handbook is subject to change as determined by the Office of Housing & Residence Life and Youngstown State University. The most

accurate version of the Resident Handbook can be found online on the [Housing & Residence Life website](#).

Service Animal Policy

In accordance with federal and state laws, individuals with documented disabilities, students, employees and visitors, are allowed the use of service animals on the Youngstown State University (YSU) campus. Students in University housing are allowed the use of emotional support animals (ESAs) that are approved yearly as an accommodation by the offices of Housing and Residence Life and Accessibility Services. The Service Animal Policy can be accessed on the [Resch Center for Academic Success website](#).

Student ID Card

Students are issued a student identification (ID) card which provides access to many resources by and available through the University such as dining hall meals, building access to residence halls, use of the University library and recreation center, and can be used for entrance and discounts (when applicable) to certain university events such as athletic events. Alternatively, the YSU App provides students with access to their Virtual ID Cards, which can be used in place of physical ID cards for the purposes listed above (except building access).

Students are responsible for maintaining a current ID card for the entire duration that they are affiliated with Youngstown State University and are responsible for the safekeeping of their ID card. Replacement cards can be requested through the YSU ID Office in Kilcawley Center.

No one other than the individual to whom the card is issued may use the ID card for any reason. Students are expected to carry their Youngstown State University ID (or Virtual ID Card) at all times and should be prepared to present ID to University authorities upon request.

Lost and Found Procedures

Guest Services in Kilcawley Center is campus' official lost and found. Items that were lost anywhere on campus can turn up here. All items are logged and held throughout the semester. Valuable items such as wallets and purses are logged and then sent directly to the Youngstown State University Police Station.

All items found that are not claimed by finals week of each semester will be donated to local charities. To inquire about a lost item, call 330-941-3516 or stop at Guest Services, located on the second floor of the Kilcawley Center.

Building Evacuation and Fire Drills

Buildings can be evacuated either by the fire alarm being sounded or by verbal indication to leave by YSU Police or other emergency response personnel. Should this occur, remain calm. Leave your area quickly by walking to the nearest exit of the building. Do not use elevators. Only take essential personal possessions when leaving the building. Make sure to stand at least 200 feet away from the building once outside. Failure to evacuate during building evacuation or university fire drills is considered endangering behavior and may result in a referral to the Office of Community Standards & Student Conduct.