



## Student Handbook



**1637 Capalina Road - San Marcos, CA 92069**

## INTRODUCTION

This student handbook contains information about student life and policies at the University of Saint Katherine, and is designed to help answer many of the questions you may have. Please familiarize yourself with its contents as each student will be held responsible to the policies and procedures described here.

While efforts have been made to provide accurate information, the University of Saint Katherine (from this point in this document will often be referred to as the “University” or “USK”) reserves the right to make changes, additions, or deletions to the policies and/or rules herein without prior notice. The Student Handbook is an agreement between the student and the University, and students will be asked to sign an agreement for the Handbook itself. Students are responsible for the enclosed policies and procedures of the University.

## ABOUT THE UNIVERSITY OF SAINT KATHERINE

### University Contact Information

Those who would like more information about the University are welcome to contact the University by email, telephone, FAX, or postal mail. All written postal correspondence should be sent to the **University of Saint Katherine**, 1637 Capalina Road, San Marcos, California 92069. The University’s main phone number is 760.471.1316 and fax is 760.471.1314. Mail addresses, phone extensions and FAX numbers may be secured through the University’s website, [www.usk.edu](http://www.usk.edu). Office hours are 8:30 a.m. to 5:00 p.m. Monday–Friday.

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## COMMUNITY COVENANT

The goal of campus life at the University of Saint Katherine is to live, work and serve together as an educational community centered on Jesus Christ. The mission of this academic community is not merely the education of the mind; it is also the development of —inquiry seeking Wisdom|| in individuals who will engage the church and society worldwide to benefit humanity and to serve the Kingdom. This engagement comes with responsibilities to oneself and to the community at large.

“All Scripture is God-breathed and is useful for teaching, rebuking, correcting and training in righteousness.” — 2 Timothy 3:16

The Biblical foundation of Christian community is expressed in Jesus Christ’s two great commandments: “Love the Lord your God with all your heart and with all your soul and with all your mind,” and “Love your neighbor as yourself” (Matt. 22:37-40). Jesus himself perfectly demonstrated the pattern: love for God, acted out in love for others, in obedience to God’s word. This represents the ideal we strive to achieve as a community of learners and inquirers. In particular, our ethos aims to achieve the following:

- to cultivate a campus atmosphere that encourages spiritual, moral and intellectual growth,
- to integrate our lives around Christian principles and devotion to Jesus Christ,
- to remove whatever may hinder our calling as a Christ-centered academic community, and
- to encourage one another to see that living for Christ involves dependence on the Holy Spirit and obedience to His teaching.

## OUR MISSION

The mission of the University of Saint Katherine is to provide a balanced education in the liberal arts and sciences founded and rooted in the life of the Orthodox Christian Tradition – Inquiry Seeking Wisdom.

The University aims to support the students to integrate their intellectual and spiritual lives, their formal learning with knowledge gained from lived experience, and their academic pursuits and personal development. To this end, the University envisions an undergraduate and graduate education characterized by a high degree of faculty- student interaction, curricula that are communal and individualized, and opportunities for research and creative pursuits inside and outside the classroom. Students will receive a broadly based, rigorous education in a setting that fosters a spirit of intellectual inquiry and the development of problem-solving skills required to address the open-ended issues characteristic of contemporary societal needs. Because learning from people who are different from oneself is essential to a superior liberal education and to a life of civil engagement, the University seeks to foster a respect for a faculty and student body diverse in demographic composition, life experiences, and viewpoints. The University envisions that our sense of community will be strengthened by our efforts to navigate a shared commitment to Orthodox Christian faith with an appreciation for competing belief systems.

## ACADEMIC HONOR CODE

The University of Saint Katherine (USK) community holds the highest standards of honesty and integrity in all aspects of university life. Any violation of the University’s commitment is a serious affront to the very nature of the University of Saint Katherine’s mission and purpose.

Violations of academic honesty include cheating, plagiarism, falsification, identity fraud, aiding academic dishonesty, and malicious interference.

**CHEATING** is the use of unauthorized assistance that results in an unfair advantage over other students. It includes but is not limited to: Bringing and/or using unauthorized notes, technology or other study aids during an examination; looking at other students’ work during an exam or in an assignment where collaboration is not allowed; attempting to communicate with other students in order to get help during an exam or in an assignment where collaboration is not allowed; obtaining an examination prior to its administration; allowing another person to do one’s work and submitting it as one’s own; submitting work done in one class for credit in another without the instructor’s permission



**PLAGIARISM** is the use of an idea, phrase or other materials from a source without proper acknowledgment of that source. It includes but is not limited to: The use of an idea, phrase, or other materials from a source without proper acknowledgment of that specific source in a work for which the student claims authorship; the misrepresentation and/or use of sources used in a work for which the student claims authorship; the use of papers purchased online as all or part of an assignment for which the student claims authorship; submitting written work, such as laboratory reports, computer programs, or papers, which have been copied from the work of other students, with or without their knowledge and consent.

**FALSIFICATION** is the alteration of information or forging of signatures on academic forms or documents. It includes but is not limited to: using improper methods of collecting or generating data and presenting them as legitimate; altering graded work and submitting it for re-grading; falsifying information on official academic documents such as drop/add forms, incomplete forms, petitions, recommendations, letters of permission, transcripts or any other university document; misrepresenting oneself or one's status in the university.

**ACADEMIC IDENTITY FRAUD** is the act of allowing a person to impersonate the registered student, by doing the academic work and by submitting it as if it were the work of the registered person. This encompasses both face to face and online environments. It includes, but is not limited to: having another person complete a course assignment, take an examination, respond to discussion board questions, or complete any kind of academic exercise on behalf of the registered student. In such cases, it may be considered collusion to commit fraud on the part of both parties.

**AIDING ACADEMIC DISHONESTY** is assisting another person in violating the standards of academic honesty. It includes but is not limited to: Allowing other students to look at one's own work during an exam or in an assignment where collaboration is not allowed; providing information, material, or assistance to another person knowing that it may be used in violation of academic honesty policies; providing false information in connection with any academic honesty inquiry.

**MALICIOUS INTENT** is misuse of academic resources or interference with the legitimate academic work of other students. It includes but is not limited to: removing books, journals or pages of these from the library without formal checkout; hiding library materials; refusing to return a reserve reading to the library; damaging or destroying the projects, lab or studio work or other academic product of fellow students.

A student remains responsible for the academic honesty of work submitted in USK courses and the consequences of academic dishonesty beyond receipt of the final grade in the class and beyond the awarding of the diploma. Ignorance of these catalog policies will not be considered a valid excuse or defense. Students may not withdraw from a course as a response to a consequence.

### ***RESPONSE PROCEDURE***

The following response procedure is recommended to faculty who discover a violation of academic honesty:

1. Fact-finding: The faculty member should attempt to speak or otherwise communicate informally with the student as a first step.
2. Communication of Consequence: Once the violation is discovered, the instructor should send a written communication to the student regarding the incident and the consequences. Instructors can give students an "F" on a specific assignment or an "F" in the course as a consequence of violations of academic honesty. In cases of academic identity fraud, the act or acts could be interpreted as a criminal offense and could mean administrative withdrawal from the University of Saint Katherine.
3. Internal Communication: The instructor should send a report of the incident to the Department Chair, the Chief Academic Officer, and/or the Academic Integrity Committee. The report should include a description of the violation, the action taken, and evidence of the violation. The official record of the incident is maintained by the Chief Academic Officer.
4. Further action: Prior instances of misconduct under this or other student conduct policies should be considered in determining disciplinary action for a present violation. The Chief Academic Officer consults or the Academic

Integrity Committee consults, if additional action seems necessary it would be taken after consultation with the reporting instructor and communicated in writing to the student. Depending upon the seriousness of the incident or pattern of incidents, further actions can include probation, suspension or expulsion.

### **APPEAL PROCEDURE**

The following appeal procedure should be used by a student who wishes to appeal consequences associated with a finding of academic dishonesty:

1. Instructor: The student should present a written appeal of the penalty to the instructor involved. The instructor should respond in writing, with a copy of the response also sent to the department chair.
2. Department Chair or Chief Academic Officer: In the event that satisfactory resolution to the appeal is not achieved between the student and the instructor, the student may submit the appeal in writing to the department chair or Chief Academic Officer, who will review the appeal and send a written ruling to the student and instructor.
3. Chief Academic Officer: Student appeals not resolved at the departmental or school level should be taken to the Chief Academic Officer for review. The Chief Academic Officer will review the appeal and send a written ruling to the student, instructor and department chair.

Administrative Committee: Student appeals not resolved at the Chief Academic Officer level can be submitted to the Academic Integrity Committee. The appeal decision reached by this committee is final.

### **STATEMENT OF NON-DISCRIMINATION**

The University of Saint Katherine is a private Orthodox Christian University of Liberal Arts and Sciences open to any qualified student. In a manner consistent with all applicable laws and regulations including Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), or other federal, state or local laws or executive orders. The University is committed to the principles of equal opportunity as defined under federal and state law, and does not discriminate on the basis of race, color, creed, disability, national/ethnic origin, age, religion, sex, sexual orientation, genetic identity or expression, pregnancy, or disabled veteran/Vietnam-era veteran status in its admission policy, programs, or activities, educational policies, scholarship and loan programs, athletic and other University-administered programs, or employment practices and programs. Inquiries regarding this policy may be directed to the Office of the President, University of Saint Katherine, 1637 Capalina Road, San Marcos, CA 92069.

As a private institution, the University adheres to specific religious tenets and maintains all of its religious freedom and associated rights and privileges. Students with documented disabilities may request in writing reasonable special services and accommodations. Questions should be directed to the Dean of Admissions.

### **DIVERSITY STATEMENT**

The University of Saint Katherine believes that one mark of a university campus is its commitment to diversity and the practice of recognizing and valuing the rich experiences and world views of individuals and groups.

As members of a diverse world community, we affirm our commitment to diversity on the University of Saint Katherine campus. We strive to achieve the following:

- To cultivate a campus environment where everyone feels safe, respected, and valued;
- To attract students, faculty, and staff that represent the ethnic diversity of our primary constituency;
- To provide a curriculum that engages students in thoughtful reflection on issues and perspectives from a diverse range of cultures;
- To value the range of perspectives on the world that stimulates intellectual and personal growth

Because of the core mission of the University of Saint Katherine, it is a defining feature of our campus to embrace diversity as a source of strength. The differences in race, ethnicity, gender, age, religion, language, abilities/disabilities, socioeconomic status, and geographic region, and more, build our culture and contribute to the fulfillment of our academic mission.



## **ADDRESS AND NAME CHANGE**

Students are required to inform the University Registrar of any changes to their home address. Official notifications from the University will be sent to the address listed with the office of the University Registrar. Student addresses and phone numbers may be updated by logging in to Populi and selecting the *Info tab*.

Students who wish to change any part of their names as they appear in Populi must provide official documentation supporting the requested change to the University Registrar.

## **AERIAL DEVICES, "UNMANNED" (DRONES)**

The University prohibits students from operating or using unmanned aerial devices (commonly called drones), on campus. Students seeking expectations for the use of such devices in teaching or research may apply to the appropriate Department Chair and/or the Chief Academic Officer. Students seeking exceptions for use of such devices for co-curricular purposes may apply to the Chief Academic Officer.

## **COMMUNICATIONS, OFFICIAL UNIVERSITY**

Certain federal statutes require that information be delivered to each student. The University of Saint Katherine delivers much of this information via email. Official electronic notifications, including those required by statutes, those required by University policy, and instructions from University officials, will be sent to the students' USK email addresses: @usk.edu. Students are required to be familiar with the contents of official University notifications, and to respond to instructions and other official correspondence requiring a response.

The University makes every effort to avoid inundating students with nonessential email (often called "spam").

## **COPYRIGHT INFRINGEMENT**

The University of Saint Katherine responds to allegations of copyright infringement in digital and online media in accordance with procedures required by the Digital Millennium Copyright Act. USK policy prohibits violations of copyright law by use of University networks, equipment, and facilities. Suspected student offenders are referred to the Chief Academic officer, which investigates, and where appropriate, initiates the University's accountability process consistent with University policies and regulations.

The distribution of material through peer-to-peer file-sharing networks may constitute copyright infringement if undertaken without authorization of the copyright owner. Civil penalties for copyright infringement include fines of up to \$30,000 per work infringed, or, in the case of willful infringement, \$150,000 per work infringed. Criminal penalties for copyright infringement can be more severe and range, in the case of fines, from \$5,000 to \$250,000 per work infringed, and can include imprisonment of up to five years per offense depending on the facts of the case. Infringers may also be liable for attorney's fees and court costs.

## **EQUAL OPPORTUNITY**

In compliance with federal law, including the provisions of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, the ADA Amendments Act of 2008, Executive Order 11246, the Vietnam Era Veterans Readjustment Act of 1974 as amended by the Jobs for Veterans Act, the Uniformed Services Employment and Reemployment Rights Act, as amended, and the Genetic Information Nondiscrimination Act of 2008<sup>i</sup>, University Saint Katherine does not discriminate against individuals on the basis of their race, sex, sexual orientation<sup>ii</sup>, gender identity<sup>iii</sup>, religion, color, national or ethnic origin, age, disability, military service, or genetic information in its administration of educational policies, programs, or activities; admissions policies; scholarship and loan programs; athletic or other University-administered programs; or employment.

- i The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits discrimination in health coverage and in employment based on genetic information.*
- ii Sexual orientation refers to a person's self-identification as heterosexual, homosexual, bisexual, asexual, pansexual, or uncertain.*
- iii Gender identity is generally defined as a person's own sense of identification as male, female, both, or neither as distinguished from actual biological sex, i.e. it is one's psychological sense of self.*

## **UNIVERSITY OF SAINT KATHERINE CAMPUS DISABILITY ACCESS**

The University of Saint Katherine is committed to equal access for people with disabilities. In compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and the ADA Amendments Act of 2008, USK does not exclude otherwise qualified persons with disabilities, solely by reason of the disability, from participating in University programs and activities, nor are persons with disabilities denied the benefits of these programs or subjected to discrimination.

Accommodations are available for USK students who have temporary or permanent disabilities and are based on the documented needs of each individual. To request reasonable accommodations, students are to contact the Student Success and Services Coordinator (SSSC) to schedule an intake meeting with the appropriate staff person. Intake meetings are provided on an individual basis to help students orient themselves with the University's processes and services. It is the individual student's responsibility to request accommodations and provide sufficient and appropriate documentation. Students are encouraged to contact the SSSC prior to or upon enrollment at USK.

## **UNIVERSITY OF SAINT KATHERINE LOGOS AND WORD MARKS, USE OF BY REGISTERED STUDENT ORGANIZATIONS**

All logos, seals, names, symbols, and slogans associated with, and used by, The University of Saint Katherine are trademarks and are the exclusive property of the University. Reproduction and use of these marks must be approved by the CFO or the Registrar. Such reproduction includes all products (e.g., T-shirts, mugs, uniforms) that are used for internal use, sale, or promotional giveaways, and use on websites and in URLs for websites.

## **POLITICAL ACTIVITY**

As noted elsewhere, the University of Saint Katherine is a unique environment committed to following Christ. In following Christ, the University recognizes that within this community there may be a wide diversity of ideas and opinions on issues of the day, including, but not limited to, political perspectives. The University supports student efforts to be aware and become involved in the political process and campaign-related activities, both within the University community, and off-campus.

## **IMPORTANT LIMITATIONS**

However, as a non-profit, private institution of higher education whose activities are regulated in part by Section 501(c)(3) of the Internal Revenue Code, the University is prohibited from engaging in partisan political activity or permitting its resources to be used for support of such activities.

When endorsing or opposing a candidate for political office or taking a position on an issue, students and student groups within the University should undertake to make it clear that they are speaking only for themselves and are not stating a University position. Administrative officers, faculty, students and staff of the University are free to express their individual and collective political views provided they understand and make clear they are not speaking for or in the name of the University. Neither the University name nor that of any University entity (supported in part or whole by University funds), nor University insignia may appear on stationery or any other material used or intended for political purpose.

## **POLITICAL POSTINGS AND ADVERTISING**

Any and all political or partisan postings on campus are subject to approval by the University, specifically the CFO or the CAO, including but not limited to: posting locations, number of postings, approval process, etc. Placements of such postings shall be done by USK students only. Any and all political or partisan online communications are subject to the University Technology & Network Usage Policy; including but not limited to: unsolicited emails, etc.

Display tables for political or partisan purpose are subject to the University and at least one USK student must staff the table while it is in operation.

### ***POLITICAL DISAGREEMENT***

It is important to note that political discourse at USK must be conducted in an atmosphere of civility and respect, an atmosphere that may be in stark contrast to the way politics are conducted elsewhere. Our mutual respect for one another cannot be set aside during the heat of partisan conflict. Our hope is that students develop the ability to openly discuss and debate, civilly persuade and plead, while maintaining awareness that what we say must be said in love. At the end of the day we must be willing to respectfully “agree to disagree”.

Therefore, actions disrespectful to others, whether connected to political disagreement or not, will not be tolerated, including (but not limited to) the following:

- Personal attacks, whether in person, print, or online;
- Heckling, spamming, trolling, or other disruptions of another’s events or online communications;
- Removing or vandalizing others’ posters, flyers, or other signage. Signage that is in violation of USK policies should be reported to the Office of Student Development.

Such behavior by students or student groups is subject to disciplinary policies as outlined elsewhere in this Handbook.

### ***NON-PARTISAN POLITICAL ACTIVITIES***

Certain nonpartisan political activities (such as properly organized voter registration activities, voter education programs, and candidate debates) are encouraged, but only if they do not evidence a preference for or opposition to a political party, candidates, or current ballot measure. In order to ensure that all legal and University requirements are followed, advance approval for these events must be obtained from the Chief Academic Officer, which will, if necessary, provide further guidance to the organizer.

Electronic resources may also be used for non-partisan voter education purposes. For example, a university web page with current election information may include a link to candidates’ web sites, if the web page (a) includes all legally qualified candidates and (b) excludes any commentary in support or against a candidate, express or implied. Again, a statement should be given that the university does not endorse nor oppose any of the candidates.

### ***ON-CAMPUS APPEARANCES BY CANDIDATES, THEIR REPRESENTATIVES, AND/OR BALLOT-MEASURE ADVOCATES***

As an important part of their educational experience, student clubs may invite speakers to campus representing a diverse range of views. In terms of political or partisan issues, it is important for all members of the University community to adhere to certain standards applicable to appearances on campus by candidates, representatives of candidates, and other representatives of political parties or political action committees.

If candidates or their representatives are invited on campus, all legally qualified candidates for the same office must be invited and given an equal opportunity to speak and participate. Therefore, all such appearances must be coordinated with the Office of the President, who will help ensure that opportunities to appear on campus are extended to all viable candidates running for a particular public office.

Appearance of a candidate for public office (or their representative) on campus must be for an educational or

informational talk to the university community and must be sponsored by a registered student organization and/or academic department. The speaker's appearance must constitute a speech, question and answer session, debate, or similar communication in an academic setting, and must not be conducted as a campaign rally or event. The appearance or presentation shall not be used to collect campaign or other political contributions or commitments from members of the audience.

The event moderator should make it clear that the institution does not support or oppose any candidate. At the beginning of each political event, after the event is fully convened, a moderator from the sponsoring University unit must deliver the following spoken disclaimer:

*“This event is sponsored by\_\_\_\_\_. The use of the University’s facilities for this event does not constitute an endorsement by the University. The University does not endorse these candidates or organizations or any other candidates or organizations in connection with this or any other political campaign or election.”*

Admission to speaker appearances must be open to the entire University community and, if the sponsoring organization chooses (in compliance with other applicable University policies), the general public, without regard to the attendees' party affiliations or support of any particular candidate. Admission may not be controlled by speakers, campaign staff, or any other person or organization not affiliated with the University.

## **USE OF UNIVERSITY FACILITIES AND RESOURCES**

University-related organizations composed solely of members of the University community may utilize available University building space (University facilities regularly reserved for student use and other University space such as lecture halls and meeting rooms) to engage in partisan political campaign activities within the University community, provided that such organizations follow the standard University procedures for reserving such facilities, without preference or hindrance, and pay in full any rental fees for the use of such facilities that they would otherwise be charged. All use of University properties are subject to University policies regarding time, place, and manner.

Organizations that are composed of non-University members, participants or employees, in whole or in part, are ineligible for use of University space to engage in partisan political campaign activities.

Campus organizations and departments may use campus communications to announce political forums and discussions sponsored by officially constituted campus groups. However, use of campus communications -- including those provided by University postal services, phone system, or its website(s) and computer networks -- for partisan political activity is not allowed.

All on-campus political activities, including services and materials, must be paid for with non- University funds. Per the U.S. Supreme Court (*Rosenberger v. Rectors & Visitors of UVA, 1995*), student “activity” fees are not considered “University funds”.

Further, the following will not be used for political or partisan purposes:

- University-provided office supplies, office telephones, facsimile machines, copiers, etc.
- University mailing lists-including the addresses and e-mail addresses of departmental offices or the offices of faculty or other employees;
- The University's sales tax exemption for purchases of goods and services.
- University office addresses and e-mail addresses may not be used as a return mailing address for partisan political mailings.

## **FUND-RAISING**

Funds or contributions for political candidates or campaigns may not under any circumstances be solicited in the name of

University or on campus, and University resources may not be used in soliciting such funds. If University students, faculty, or staff make political contributions, they must do so as individuals and not on behalf of University.

Student groups may not use their student-fee allocations to make direct gifts, contributions, or donations to political campaigns or candidates. Student organizations may, however, choose to use their allocations to support their own expressive activities and views on public policy issues and other interests, within the bounds of this policy.

## **IN-CLASS INVOLVEMENT**

University students may be asked to participate in political campaign-related activities as part of for-credit class coursework only to the extent that (a) such activities are genuinely aimed at educating students with respect to the electoral process, and (b) no student is required to be active in a campaign for a candidate or cause she or he does not support.

## **STUDENT RECORDS (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT)**

The University of Saint Katherine is subject to the provisions of federal law known as the Family Educational Rights and Privacy Act (also referred to as FERPA). This act affords matriculated students certain rights with respect to their educational records. These rights include:

- The right to inspect and review their education records within 45 days of the day the University receives a request for access. Students should submit to the University Registrar written requests that identify the record(s) they wish to inspect. The University Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the University Registrar does not maintain the records, the student will be directed to the University official to whom the request should be addressed.
- The right to request the amendment of any part of their education records that a student believes is inaccurate or misleading. Students who wish to request an amendment to their educational record should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the student will be notified of the decision and advised of his/her/their right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records to third parties, except in situations that FERPA allows disclosure without the students consent. These exceptions include:
  - Disclosure to school officials with legitimate educational interests. A "school official" is a person employed by the University in an administrative, supervisory, academic or research, or support-staff position (including University law enforcement personnel and health staff); contractors, consultants, and other outside service providers with whom the University has contracted; a member of the Board of Trust; or a student serving on an official University committee, such as the Student Senate, or assisting another school official in performing his/her/their tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her/their professional responsibility.
  - Disclosure to parents if the student is a dependent for tax purposes.
  - Disclosure to appropriate individuals (e.g., parents/guardians, spouses, housing staff, health care personnel, police) where disclosure is in connection with a health or safety emergency and knowledge of such information is necessary to protect the health or safety of the student or other individuals.
  - Disclosure to a parent or legal guardian of a student, information regarding the student's violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if the University has determined that the student has committed a policy violation with respect to the use or possession and the student is under the age of 21 at the time of the disclosure to the parent/guardian.
  - Disclosure to comply with a judicial order or lawfully issued subpoena.
- FERPA provides the University the ability to designate certain student information as "directory information".

Directory information may be made available to any person without the student's consent unless the student gives notice as provided for, below.

The request for nondisclosure does not apply to class rosters in online class management applications, or to residential rosters—or rosters of groups a student may join voluntarily—in online, co-curricular engagement applications, or rosters of other information on the websites of student organizations that a student may join. Neither class rosters in online class management applications, nor residential rosters in online co-curricular engagement applications, are available to the public. Students may configure their privacy settings in co-curricular engagement applications to further restrict availability of information in those applications.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which students' education records and personally identifiable information (PII) contained in such records - including Social Security Numbers, grades, or other private information - may be accessed without consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to student records and PII without consent to *any* third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education", such as early childhood education and job training, as well as any program that is administered by an education agency or institution.

Second, Federal and State Authorities may allow access to education records and PII without consent, to researchers performing certain types of studies, in certain cases *even when the University objects to or does not request such research*. Federal and State Authorities must obtain certain use-restriction and data security promises from the third parties that they authorize to receive PII, but the Authorities need not maintain direct control over the third parties. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without student consent, PII from education records, and may track student participation in education and other programs by linking such PII to other personal information that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Students who believe the University has failed to comply with FERPA may file a complaint using the Student Complaint and Grievance Procedures as outlined in the *Student Handbook*. If dissatisfied with the outcome of this procedure, students may file a written complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-5920.

Questions about the application of the provisions of the Family Educational Rights and Privacy Act should be directed to the Registrar.

## **STUDY ABROAD**

In general, the policies and regulations in this *Student Handbook* apply to students registered for USK study-abroad programs, and some additional regulations may apply. Students on academic or disciplinary probation, or those with a financial hold, may be prohibited from participating in study- abroad programs. Specific regulations for students enrolled in study-abroad programs are available from the program directors, within each department, or from the Registrar.

The faculty leaders of USK study-abroad are responsible for academic matters. In consultation with the CAO's designee, they are also responsible for co-curricular and accountability matters, within the limits of the policies established by the University.

Students participating in University-approved, direct-credit programs administered by third-party providers (CET, CIEE, DIS, IFSA-Butler, IES, SIT, etc.), or direct-enroll/exchange programs at host institutions must abide by the conduct policies and regulations set forth by the institutions, in addition to the those in the University of Saint Katherine Handbook.



Students are required to abide by the laws of the respective countries in which they reside, study, or travel, with respect to the age at which alcoholic beverages may be consumed. Otherwise, the policies with respect to alcoholic beverages and controlled substances included in the Saint Katherine Student Handbook apply. Students are subject to accountability sanctions, including expulsion, and referral for prosecution for violation of these policies.

### **UNIVERSAL WAIVER**

In consideration of the University's providing opportunities to participate in both academic and co-curricular programs and activities, students acknowledge the receipt and sufficiency of this consideration, and, by enrolling in the University of Saint Katherine, agree to release, relieve, discharge, and hold harmless the University of Saint Katherine, its officers, trustees, faculty, administrators, employees, representatives, and elected and volunteer leaders designated by the University of Saint Katherine, from any and all liability or claim of liability, whether for personal injury, property damage, or otherwise, arising out of, or in connection with, their voluntary participation in activities and travel associated with programs sponsored by the University or any of its departments, student groups, and other entities.

*By agreeing to this Student Handbook, you (the student) hereby agree to the above statement.*

### **STUDENT CODE of CONDUCT: Rules & Regulations**

The University embraces Orthodox Christian values, which in turn, reflect upon the academic and residential life on campus. Upon enrollment, students agree to abide by the policies, guidelines, and rules of the University, to respect the rights of all members of the University community, and to submit to disciplinary sanctions imposed for violating the policies, guidelines, or rules of the University. Of course, students are accountable for ordinary standards of behavior in a civilized society, even though this handbook may not explicitly prescribe a particular misconduct.

The University reserves the right to deny admission to any applicant, and to suspend or to expel any student whose behavior indicates that his/her/their presence at the University endangers or tends to endanger the health, safety, welfare, or property of the members of the University community or otherwise interferes or tends to interfere with the orderly and effective functioning of the University as an academic and residential community.

In the event of serious misconduct, the student is subject to immediate suspension or expulsion if, in the judgment of the Chief Academic Officer and/or the Athletic Director, or other designated staff member, there is a significant risk to the safety, well-being, or reputation of a member of the University community if the student were to remain on campus. An alleged perpetrator may be required to leave campus immediately, even while his/her conduct is being investigated or a disciplinary sanction is being applied.

#### ***AIDING, ABETTING, OR CONSPIRING/COMPLICIT***

Being present when another student violates USK policy, or enabling or assisting a student to commit a violation. If illegal substances and/or objects are present in a room, all occupants are held responsible.

#### ***BIGOTRY***

Acts of bigotry that humiliate, disrespect, degrade, or otherwise harm individuals are prohibited and may result in disciplinary sanctions up to dismissal from the University.

#### ***CHEATING AND DISHONESTY***

Students must be honorable in all of their academic work. Dishonesty, in any form, assignments, examinations, or any other academic work is an affront to fellow students and the faculty and will not be tolerated. (Please see the Academic Integrity Policy)

### ***DANGEROUS PRACTICES/RECKLESS BEHAVIOR***

Activities that endanger the lives or safety of any student or other individual in any University building or on property. This includes, but is not limited to, students climbing on roofs or hanging from ceilings and ledges of walkways, propping doors in residence halls, throwing objects from windows or balconies or elevated walkways, and disclosing or giving residence hall door access to unauthorized persons.

### ***DISSENT***

The University agrees that the right to dissent is essential to the maintenance of academic freedom in the University. However, dissent or protest against a particular position, action or situation can be permitted only when such protest does not restrict the freedom of thought and movement of others who hold different views.

Those who dissent, particularly in an academic community, should be willing to permit the free expression of ideas and positions other than their own, and in a manner consistent with the University's mission. Attempts by unauthorized persons to counter such protests will not be condoned. Anyone who engages in any form of protest which impedes or obstructs others in the exercise of their freedom, or which interferes with the orderly procedures and activities of the University or is destructive, may be subject to student conduct and/or legal action.

### ***DISTURBING THE PEACE AND DESTRUCTION OF PROPERTY***

Whenever any student, student organization, or group of students, disturbs the peace, destroys, defaces, or removes University property without permission, those involved, including any affiliated organization and its officers, will be held responsible.

### ***FALSIFICATION***

Any student who knowingly falsifies, or aids, abets or assists in the falsification of any official University record, misuse of ID cards, meal tickets, parking permits, or chapel attendance records, may be subject to student conduct action.

### ***FILMS***

All films (other than those shown in a classroom situation) shown by groups or individuals under the sponsorship of University of Saint Katherine must have prior approval from the event sponsor or an advisor.

### ***FINANCIAL IRREGULARITIES***

A student who deliberately writes —bad checks (insufficient funds) or commits a forgery will be subject to student conduct and/or legal action.

### ***FIRE EQUIPMENT***

The University requires that fire-extinguishing equipment, fire alarms, smoke detectors and any other emergency equipment be kept only for authorized use. The law prohibits any other use.

### ***FIREARMS, FIREWORKS/EXPLOSIVES AND WEAPONS OF ANY KIND***

The possession of, sale of, or firing of fireworks, firecrackers, explosives (including, but not limited to, pipe bombs, dry ice bombs, and other such homemade devices), guns of any kind including recreational firearms, knives with a blade longer than 2.5 inches, all folding knives with locking blades and other items of similar nature is prohibited by USK and by city, county and state law.

### ***GAMBLING***

Athletic gambling is prohibited.

## **HUMAN SEXUAL IDENTITY**

The University of Saint Katherine's position statement regarding transgenderism, gender identity, and gender expression is grounded in our long-standing institutional religious identity. This identity, in turn, is grounded in the teachings of the Bible as understood in the Orthodox Christian theological tradition. We follow Christ's example to love all persons, understanding such love in the context of God's revealed truth. We affirm that God's original and ongoing intent and action is the creation of humanity manifest as two distinct sexes, male and female. We also affirm the following:

- Humans are created in the image of God.
- That God loves all people regardless of gender identity. We believe that all people should be treated with dignity, grace, and love.
- We recognize that there are exceptions to the typical pattern of human development which may result in rare instances of sexually ambiguous birth. A student (or potential student) who faces such a challenge is invited to discuss these concerns with the Student Success and Services Coordinator, who will provide appropriate University resources and assistance.

## **HARASSMENT AND DISCRIMINATION**

The University of Saint Katherine prohibits any form of harassment or discrimination against any member of the University community on the basis of sex, race, color, gender identity, sexual orientation, national origin, ancestry, age, or disability and/or veteran status. Such actions are prohibited not only by University policy, but also by federal law, including Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Educational Amendments of 1972. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence. Any type of harassment or discrimination may subject individuals or groups to disciplinary action, and may also have legal consequences.

Any student who feels that he or she has experienced or witnessed discrimination on any basis other than sexual harassment against any member of the should report the incident to a campus administrator or to the Student Success and Services Coordinator. Any student who feels that he or she has experienced or witnessed any form of harassment should report the incident to a campus administrator or the Student Success and Services Coordinator.

## **HAZING**

Hazing is not allowed within any of the University's clubs or groups, whether or not they are officially recognized by the University. "Matt's Law" ([CA Penal Code Section 245.6](#)) was established in memory of Matthew William Carrington who died on February 20, 2005 as a result of hazing. Prosecution under Matt's law does not prohibit prosecution under any other provision of law.

Hazing is any action taken or situation created intentionally:

- that causes embarrassment, harassment or ridicule
- risks emotional and/or physical harm
- to members of a group or team
- whether new or not
- regardless of the person's willingness to participate

Hazing that does not result in serious bodily injury is a misdemeanor, punishable by a fine of not less than \$100 nor more than \$5,000; imprisonment in the county jail for not more than one year; or both.

Any person who personally engages in hazing that results in death or serious bodily injury is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in county jail not exceeding one year or by imprisonment in the state prison.

The person against whom the hazing is directed may commence a civil action for injury or damages. The action may be brought against any participants in the hazing or any organization to which the student is seeking membership whose agents, directors, trustees, managers, or officers authorized, requested, commanded, participated in, or ratified the

hazing.

The University of Saint Katherine supports only those activities that are constructive, educational and inspirational, and that contribute to the intellectual and personal development of the students. The University unequivocally opposes any situation intended to produce mental or physical discomfort, embarrassment, harassment, or ridicule. The University interprets hazing as any act, whether physical, mental, emotional or psychological, that subjects another person, voluntarily or involuntarily, to anything that may abuse, mistreat, degrade, humiliate, harass, or intimidate an individual, or which may in any fashion compromise an individual's inherent dignity as a person. In addition, any requirements by a member or pledge which compels another member or pledge to participate in any activity that is against University policy, state or federal law, will be defined as hazing. It is the right of every student on this campus to be free from the humiliation and danger of hazing. Hazing by any individual or organization shall be viewed as incongruent with the mission and values of the University. Each organization is responsible for designing programs that recognize the moral, spiritual, and intellectual qualities of human rights.

### **CONDUCT AT ATHLETIC EVENTS**

The University prohibits the throwing of objects from the stands and abusive language or gestures at athletic events. Student spectators who throw objects at athletic events will be ejected from the contest and may be subject to corrective action by the Athletic Director. Other spectators will be treated similarly by local authorities. The possession or consumption of alcoholic beverages is prohibited at athletic events, as is the use of tobacco, electronic smoking devices, and other nicotine delivery systems.

### ***SIGNS, BANNERS, AND ARTIFICIAL NOISEMAKERS***

Students may paint themselves, using the common names for University of Saint Katherine teams (e.g., St. Kath's, Firebirds, USK). Students and/or registered student organizations may submit banners to be displayed at the game to the appropriate Student Athletics official, prior to the game. Banners with obscene, offensive, or derogatory messages—as determined by Student Athletics personnel—will not be displayed. Efforts will be made to display all banners submitted and approved. Students are permitted to bring hand-held signs to athletic events provided that the signs meet the following guidelines:

1. The signs must be no larger than one piece of standard-size poster board (22" x 28");
2. Signs may not display abusive, offensive, or obscene words or drawings - as determined by University Athletics personnel; and
3. Names of commercial products other than the official broadcast networks of the contest may not be mentioned on the sign.
4. Dry erase boards and the like are prohibited. Signs must be completed and approved prior to the event, and may not be changed once approved.
5. Event staff has the discretionary authority to determine whether a sign meets the guidelines. Signs that do not meet these guidelines may be confiscated at any time during the event. Students in possession of a sign that does not meet the guidelines may be ejected from the contest if they refuse to comply with the policy stated above.

### **CONDUCT IN THE LIBRARY**

The library of the University of Saint Katherine seeks to create a welcoming, comfortable, and safe environment for its users. The library is a place for learning and reflection, and the library staff supports these efforts by providing helpful, responsive, and knowledgeable service. Mutual courtesy and respect among users and staff are essential to the University's educational mission, and the role the library serves in fulfilling it. Among the library's most important goals is to create a setting where its users feel free to pursue research and study without compromising their privacy or safety. Collaborative study spaces enable conversation and interaction among students. Library users are asked to be courteous to others, and to be aware of the potential impact of their conversations and use of electronic devices in open areas. All conduct should contribute to the research and scholarship of the USK community.

### **USE OF UNIVERSITY COMPUTERS AND DATA NETWORKS**

Students, faculty, and staff are expected to comply with Technology & Network Usage Policy. Among other things, this policy prohibits violation of copyright laws, including illegal file sharing, the transportation of obscene materials across state lines, and unauthorized access to private information, whether obtained through direct “hacking” or by —social engineering|| methods. In addition to sanctions through the University accountability proceedings, computing and data network privileges may be revoked in appropriate circumstances.

### **JURISDICTION**

All persons enrolled in or taking courses at the University, or participating in programs and activities of the University as students, even if not registered primarily at the University of Saint Katherine, as well as students on official leaves from the University (medical, personal, disciplinary, or otherwise), fall under the jurisdiction of the accountability system. This includes those taking part-time courses of study; participants in summer programs; transients during the summer or other sessions; and students cross-registered from a neighboring institution. Accountability proceedings for these students are the same as for full-time University of Saint Katherine students. A notification of the findings of an accountability meeting will be sent to the appropriate officer of the institution in which the students are primarily registered.

### **LITTERING**

Disposing of refuse of any kind on University property except in the appropriate receptacles provided, is prohibited.

### **MISREPRESENTATION OR FORGERY/FALSIFICATION OF RECORDS**

Providing false identification or information to any University officials with an intent to deceive. This also includes the unauthorized use of any University of Saint Katherine document or instrument of identification. Falsification of any University records or documents is also prohibited.

### **OBSCENE LANGUAGE, LITERATURE, AND MUSIC**

Vulgar, foul, obscene, or profane language is not to be tolerated on campus at any time. Pornographic materials or media (i.e. music, images, video), obscene literature and pictures are also not to be tolerated.

### **PERSONAL APPEARANCE**

The purpose of the University is to conduct an education program, and the University considers this program an activity second to none in its importance and believes it should be so regarded by the students. Thus, a mature attitude should be demonstrated by the dress and appearance of students while attending classes or engaging in the other academic pursuits about the campus.

Students are expected to maintain the same standards of dress and personal grooming about the campus which would ordinarily be maintained by those engaged in other serious pursuits. It is recognized that specific policies or rules of dress and grooming to maintain such standards are difficult to draft and to enforce. For this reason, considerable discretion must be vested in the Discretionary Committee to maintain these standards. Obvious violation of these standards, such as failure to cover the torso adequately or to wear shoes to class, and at other appropriate places and times, may subject a student to disciplinary action. It is hoped that the reasonable suggestions of the staff and administration, specifically the Student Success Coordinator and the Chief Academic Officer, as to dress and other aspects of personal appearance and grooming will be accepted by students, but refusal to comply with such specific reasonable requests will be grounds for University disciplinary action under the Student Code of Conduct.

### **SALES/ADVERTISING ON CAMPUS**

No sales, solicitation, selling —parties|| or advertising is permitted on campus without permission of the CAO or the CFO.

### **SETTING A FIRE/ARSON**

Lighting a fire on University property without authorization is prohibited. Starting such a fire with the intent of destroying property is arson.

### **SEXUAL MISCONDUCT AND INTIMATE PARTNER VIOLENCE**

The University of Saint Katherine is committed to equal opportunity and to maintaining a safe and healthy environment

for all members of the University community, guests, and visitors. The University's policies, programs, and activities are designed to foster courtesy and respect. The University prohibits and seeks to eliminate all forms of sexual misconduct, including sexual harassment and sexual assault, and intimate partner violence, which includes dating violence, domestic violence, and stalking. Under federal law, the University of Saint Katherine has a duty to take steps to prevent and redress sexual misconduct and intimate partner violence. Such conduct is contrary to USK's values, represents socially irresponsible behavior, and is not tolerated. This policy addresses the University's obligations under Title IX of the Education Amendments of 1972 ("Title IX") and the Violence Against Women Reauthorization Act of 2013.

In compliance with federal law, including the provisions of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, the ADA Amendments Act of 2008, Executive Order 11246, and the Uniformed Services Employment and Reemployment Rights Act, as amended, and the Genetic Information Nondiscrimination Act of 2008, the University of Saint Katherine does not discriminate against individuals on the basis of their race, sex, sexual orientation, gender identity, religion, color, national or ethnic origin, age, disability, military service, or genetic information in its administration of educational policies, programs, or activities; admissions policies; scholarship and loan programs; athletic or other University-administered programs; or employment. In addition, consistent with the University's nondiscrimination policy, the University does not discriminate against individuals on the basis of their gender expression.

This policy outlines the procedures that apply to allegations of sex discrimination, sexual misconduct, including sexual harassment and sexual assault, and intimate partner violence involving students. It is applicable to all members of the USK community with respect to conduct that occurs on and off campus, including conduct in connection with University programs and activities and conduct that otherwise interferes with or limits the ability of a member of the community to participate in or to receive benefits, services, or opportunities from the University's programs or activities, regardless of whether the victim is an affiliate of the University. Complaints and reports of sexual misconduct or intimate partner violence will be handled under the version of this policy in effect as of the date of the alleged incident; complaints and reports of conduct spanning more than one year will be handled under the version of the policy in effect at the time of the most recent alleged incident.

The policy sets forth the specific types of conduct that are prohibited, as well as the resources and support services available to those in the USK community who have been impacted by such conduct. The University of Saint Katherine encourages everyone affected by sexual misconduct or intimate partner violence, and everyone who suspects or witnesses such conduct, to report it. The University will take prompt and effective action to address allegations of sexual misconduct and intimate partner violence, and it will resolve complaints and reports in a timely and fair manner.

Questions about the policy and its applicability to any alleged conduct may be directed to the University's Title IX Coordinator, who oversees compliance with applicable non-discrimination policies, including this policy:

**Title IX and Section 504 Coordinator (760) 471.1316**  
**1637 Capalina Road, San Marcos, CA 92069.**

**The office is located on the first floor next to Admissions.** For purposes of this policy, the following terms and definitions will be used throughout:

- **Sexual Misconduct** – all forms of sexual misconduct, sexual assault, sexual harassment, and intimate partner violence, including dating violence, domestic violence, and stalking, as outlined in the Offenses and Definitions section of this policy.
- **Report** – any complaint or information provided to the Title IX Coordinator or a mandated reporter regarding an incident of sexual misconduct, whether provided by the complainant, a third party, or another.
- **Complainant** – the person who is reported to have been subjected to sexual misconduct.
- **Respondent** – the person against whom allegations of sexual misconduct have been made.



## **RESOURCES AND SUPPORT**

Any member of the University of Saint Katherine community who has experienced or been impacted by sexual misconduct, including prior to their affiliation with USK, may seek immediate and/or ongoing assistance from one or more of the resources outlined below. Some of these resources are confidential; others are subject to mandatory reporting requirements. This policy indicates the level of confidentiality offered by the listed resources.

### **CONFIDENTIAL RESOURCES**

Some resources are confidential. Confidential resources include licensed professional counselors and mental health providers, such as those at the Counseling Center and pastoral/clergy counselors acting in that capacity. **These confidential resources do not report any information about an incident to the Title IX Coordinator or anyone else without the permission of the person consulting them.** Off-campus counselors and health care providers will also generally maintain confidentiality and not share information with the University unless the person consulting them requests the disclosure and signs a consent or waiver form. However, under state or federal law, all resources may have other reporting obligations. For example, healthcare providers and certain other individuals are required to notify law enforcement when someone seeks treatment for injuries caused by a violent crime, including sexual assault. Similarly, all persons are required to notify law enforcement when they receive a report of sexual abuse of a minor. Anyone who at first utilizes a confidential resource may later decide to make a report to a non-confidential resource, such as law enforcement.

### **RESPONSIBLE EMPLOYEES WHO ARE MANDATORY REPORTERS UNDER TITLE IX**

A responsible employee is a University of Saint Katherine employee who has a duty to report all alleged violations of this policy because the employee has the authority to address sexual misconduct or because a member of the University community could reasonably believe that the employee has such authority. Responsible employees are mandatory reporters; they are not confidential resources. **Generally, with the exception of the confidential resources discussed above, a University employee to whom a community member reports an incident of sexual misconduct is a mandatory reporter.** This includes faculty members, teaching assistants, and most staff.

Mandatory reporters are required to report possible violations of this policy to the Title IX Coordinator. Mandatory reporters must report names, if known, and all relevant details about the alleged sexual misconduct, so that the University can take steps to address the matter promptly and resolve it fairly. Conversations with mandatory reporters are otherwise kept private to the extent possible and are only disclosed to those with a need or right to know.

Before a mandatory reporter receives any information regarding an instance of sexual misconduct, the mandatory reporter should seek to confirm that the reporting party understands the employee's reporting obligations and, if the reporting party wants to maintain confidentiality, will direct the reporting party to a confidential resource.

If a victim wants to tell a mandatory reporter about an incident but does not want the report investigated or the victim's name disclosed, the employee will tell the victim that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of an incident to the Title IX Coordinator, the mandatory reporter will also inform the Coordinator of the victim's request for confidentiality.

Mandatory reporters will not pressure a victim or other reporting party either to request confidentiality or make a full report.

### **CONTACT INFORMATION FOR RESOURCES**

Any member of the University of Saint Katherine community who has experienced sexual misconduct may seek immediate and/or ongoing assistance from one or more of the following resources. Many of the resources listed will provide assistance whether or not the victim chooses to make a report to law enforcement, or to participate in an investigation.

## **FOR STUDENTS (CONFIDENTIAL):**

- Counseling Center: 760.891.8103
- Student Success and Services Coordinator: 760.471.1316 ext. 304
- Director of Athletics: 760.761.0951

## **RESOURCES IN THE COMMUNITY – NO MANDATORY REPORTING TO THE UNIVERSITY OF SAINT KATHERINE**

- Center for Community Solutions (CCS) Rape Crisis Hotline: 888-385-4657
- Women's Resource Center (WRC): 760-757-3500
- Rape Abuse Incest National Network (RAINN): 800-656-HOPE (4673)
- Department of Defense Sexual Assault Prevention & Response (SAPR) Helpline: 877-995-5247
- Strong Hearted Native Women's Coalition: 760-644-4781
- District Attorney Victim Assistance Program: 619-531-4041

### ***ADDITIONAL INFORMATION***

The medical service providers listed above are available to treat injuries and possible sexually transmitted diseases, as well as for other health services and consultations. Please note that medical treatment and a forensic examination may aid in the preservation of relevant evidence. Even victims who are unsure as to whether or not they want to make a police report or take action against the respondent may wish to have a forensic examination; having a forensic exam facilitates the identification and preservation of physical evidence associated with the assault.

California law requires all medical personnel to report to law enforcement when someone seeks treatment for injuries caused by a violent crime, including sexual assault. Medical personnel are also required to report to law enforcement and/or Child Protective Services when a minor presents for treatment for any injury or condition that reasonably indicates it was caused by violence or abuse, including physical or sexual abuse. Medical personnel are also required to report to law enforcement and/or Adult Protective Services when certain vulnerable adults present and there is reasonable belief that they are victims of adult abuse, neglect, or exploitation.

***Immediate Priority—Preserving Evidence:*** To help preserve evidence, victims are encouraged not to change clothes or bedding, take a shower, douche, or clean up until evidence has been collected by the police or SANE. Evidence may still be available even if the victim has changed clothes or cleaned up/showered. Therefore, victims should leave any clothes or bedding that may contain evidence unfolded and undisturbed, if possible. If clothing or bedding must be moved, each item should be kept separate to prevent transfer of body fluids or other trace evidence. Victims and witnesses should also not delete or destroy any potentially relevant video or text messages, messages through other social media outlets (e.g., Facebook, Twitter, Instagram, Tinder, Grindr, etc.), emails, voicemails, written notes, or any other media, including hard-copy documents.

### ***INTERIM MEASURES***

The University will implement appropriate interim measures on its own initiative or in response to a request from a complainant or respondent. Interim measures are intended to provide temporary support and relief to the parties involved in or affected by sexual misconduct. Such measures will remain in effect as long as necessary, depending on the relevant facts and circumstances. **Parties may request interim measures even in cases where an investigation is not undertaken or either party has declined to participate in the University proceeding or the criminal process.**

Interim measures for students may include, but are not limited to:

- access to on-campus counseling services and assistance in setting up an initial appointment;
- stay-away orders issued by the Title IX Coordinator (may refer to persons and/or locations);
- rescheduling of academic exams and assignments;
- providing alternative course completion options;

- changing class schedules, including the ability to transfer course sections or withdraw from a course without penalty;
- changing work schedules, job assignments, or job locations for University employment;
- changing residence room/unit assignments;
- providing an escort for transit between classes and activities;
- providing academic support services, such as tutoring;
- limiting or barring an individual's or organization's access to certain University of Saint Katherine-owned facilities or activities;
- interim suspension of the respondent;
- student-requested leaves of absence.

**Interim measures for faculty and staff may include, but are not limited to:**

- access to on-campus counseling services and assistance in setting up an initial appointment;
- changing work schedules, job assignments, or job locations;
- limiting or barring an individual's or organization's access to certain University- owned facilities or activities;
- providing an escort for transit around campus;
- administrative leave;
- University-imposed leave or physical separation from individuals or locations.

**OFFENSES**

**SEXUAL ASSAULT – INTERCOURSE** is any vaginal and/or anal penetration – however slight – by any body part (e.g., penis, tongue, or finger) or object, and/or oral copulation (mouth to genital contact), by any person upon another without effective consent. Sexual Assault – Intercourse also includes an individual causing someone else to penetrate him/her/them vaginally, anally, or orally without effective consent.

**SEXUAL ASSAULT – CONTACT** is any contact of a sexual nature – however slight – with the breasts, buttocks, groin, genitals, mouth, or other body part of another, by any person upon another without effective consent. Sexual Assault – Contact also includes an individual causing someone else to touch him/her/them with, or on, any of these body parts without effective consent.

**SEXUAL HARASSMENT** is unwelcome conduct of a sexual nature, and may include unwelcome sexual advances, requests for sexual favors, and other verbal or nonverbal conduct of a sexual nature. It may be based on or result from power differentials, the creation of a hostile environment (defined below), or retaliation.

**SEXUAL HARASSMENT – HOSTILE ENVIRONMENT** is harassing conduct of a sexual nature that is sufficiently severe, pervasive, or persistent that it interferes with or limits the ability of a member of the community to participate in or to receive benefits, services, or opportunities from the University's programs or activities. One instance that is sufficiently severe, such as a sexual assault or rape, can create a hostile environment.

**SEXUAL EXPLOITATION** is non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other improper purpose.

**STALKING** is a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, survey's, threatens, or communicates with or about a person, or interferes with a person's property.

**DATING VIOLENCE** is sexual, psychological, or physical abuse or the threat of such abuse committed by a person who is or

has been in a social relationship of a romantic or intimate nature with the person against whom the violence is perpetrated. The existence of a social relationship of a romantic or intimate nature may be determined by the length of the relationship, the type of relationship, the frequency of the interactions between the persons involved in the relationship, and other relevant contextual factors. Whether the alleged conduct constitutes abuse or the threat of abuse will depend on a number of factors, including, but not limited to, the nature, severity, and frequency of the conduct. Dating violence does not include acts covered under the definition of domestic violence.

**DOMESTIC VIOLENCE** is sexual, psychological, or physical abuse or the threat of such abuse committed by a person who is the current or former spouse or domestic partner of the person against whom the violence is perpetrated; a person who shares a child in common with the person against whom the violence is perpetrated; a person who is cohabitating or has cohabitated as a spouse or in the context of a social relationship of a romantic or intimate nature with the person against whom the violence is perpetrated; or a person who is a party to another type of intimate relationship, including as a parent, guardian, or other status defined by California law, except platonic roommates, or by University policy, with the person against whom the violence is perpetrated. Whether the alleged conduct constitutes abuse or the threat of abuse will depend on a number of factors, including, but not limited to, the nature, severity, and frequency of the conduct.

**RETALIATION** is any adverse action threatened or taken, whether personally or through a third party, against another person because they have complained about, reported, or participated in the investigation or disposition of alleged sexual misconduct. Retaliation in an effort to discourage a person from reporting sexual misconduct or participating in a sexual misconduct investigation, or to punish a person for doing so, is also prohibited. Retaliation includes purposely interfering with, threatening, or damaging the academic or professional reputation, career, or co-curricular experience of another individual before, during, or after the investigation and/or resolution of a report under this policy. The University will take appropriate action to address any reports of retaliation.

**Other forms of sexual misconduct** include, but are not limited to, the following:

- Invasion of privacy of a sexual nature;
- Procuring, offering, or promoting prostitution;
- Intentional transmission of HIV (human immunodeficiency virus) or another sexually transmitted disease;
- Attempting to commit sexual misconduct; and
- Facilitating, aiding, encouraging, concealing, and/or otherwise assisting a violation of this policy.

These definitions may or may not be the same as those for criminal offenses under California state law.

## CLARIFICATIONS

*Force* includes physical force (such as pushing, hitting, pinning down), threats (direct or indirect expressions of intent to inflict harm to self or others), intimidation (implied or indirect threats), and/or other forms of coercion.

*To coerce* is to exert power or control over another person by use of force, pressure, manipulation, threats, or intimidation. Determinations regarding whether actions or statements amount to coercion will be made on a case-by-case basis. For example, repeated advances or requests to engage in sexual activity may or may not amount to coercion depending on all of the relevant facts and circumstances.

## ALCOHOL AND DRUGS

The impact of alcohol and other drugs varies from person to person. A person wishing to engage in sexual activity with another whom the person knows or reasonably should know has consumed alcohol or other drugs must specifically determine the capacity of the other person to provide “effective consent” as explained below. **Depending on the level of a person’s intoxication, the person may or may not be able to give effective consent.** Determinations regarding whether a person’s level of intoxication affects the person’s ability to give effective consent will be made on a case-by-case basis.

**Intoxication** refers to a state of stupefaction, exhilaration or euphoria resulting from the ingestion of alcohol or other chemical substances.

**Incapacitation** means the inability to make or carry out a rational, reasonable decision. One who is incapacitated cannot give effective consent. Incapacitation can result from intoxication from alcohol or other drugs, or from the voluntary or involuntary taking of GHB, Rohypnol, Burundang, Ketamine, or other sedatives or “date-rape” drugs. Evidence of incapacitation may include, but is not limited to, one or more of the following:

- slurred speech
- bloodshot eyes
- dilated pupils
- the smell of alcohol on the breath
- shaky equilibrium
- unsteady gait
- vomiting
- outrageous or unusual behavior
- unconsciousness
- elevated blood alcohol level
- blacking out
- sleeping

**Blacking out** is an amnesia-like state that may be brought on by drugs, heavy drinking, or intoxication; blacking out is not necessarily incompatible with the ability to engage in simple or even complex behavior. Afterwards the person has no recollection of all or part of the events that occurred during the blackout. There is a distinction between passing out (falling asleep or becoming unconscious) due to drug or alcohol use and blacking out in that a person in a blackout remains conscious and operative.

**Blacking out, incapacitation, and intoxication do NOT provide a valid explanation or excuse for engaging in any form of sexual misconduct.**

**Effective Consent** is consent that is informed and freely and actively given. Effective consent requires mutually understandable words or actions indicating a willingness to engage in mutually agreed-upon sexual activity.

- The person who wishes to engage in sexual activity with another bears the burden of specifically obtaining effective consent. If effective consent is in question or ambiguous, then the person who wishes to engage in sexual activity must clarify or explicitly ask for permission.
- Effective consent must be maintained by both parties throughout the sexual interaction.
- Effective consent for one form of sexual activity does not constitute or imply effective consent for another form of sexual activity. When “no” to a form of sexual activity is communicated by word or action, that sexual activity must cease immediately. Repeated requests to engage in that sexual activity may amount to coercion, as explained above.
- Effective consent to sexual activity may be revoked at any time, at which point sexual activity must cease immediately.
- A person who is the object of sexual misconduct is not required to resist physically or otherwise in order to convey or demonstrate a lack of effective consent.
- Effective consent means communicating “yes” by word or action; the absence of saying or indicating “no” does not equate to effective consent.
- Previous sexual relationships of the complainant and the respondent with others are generally irrelevant to the existence of effective consent, but a previous, current, and/or subsequent sexual relationship between the complainant and the respondent may or may not be relevant to demonstrating or establishing, depending on the facts and circumstances, whether effective consent was sought or obtained.
- Effective consent expires. Effective consent lasts for a reasonable time, depending on the circumstances. Thus, effective consent on one occasion, whether on the same day or another day, may not carry over to another sexual

interaction.

- Effective consent is never implied by attire, nor can it be inferred from the buying of dinner, the spending of money on a date, being invited or accepting an invitation to a person's residence, or engaging in kissing or other foreplay.
- Because effective consent must be informed, an individual must not engage in sexual activity with another person if the individual knows or reasonably should know the person is incapacitated.
- Effective consent is deemed withdrawn when an individual knows or reasonably should know that the other person has become incapacitated at any point during sexual activity.
- Agreement or acquiescence obtained through the use of fraud, force (actual or implied), or other forms of coercion, as defined above, is not effective consent.
- A person's age may be a factor in determining the ability to give effective consent. For example, under California law, a person who is under the age of 18 cannot effectively consent to sexual intercourse with a person four or more years older than the underage person.
- The existence of a cognitive disability or other condition that significantly limits a person's ability to understand the nature of an action for which effective consent is requested may be a factor in determining the ability to give effective consent.

***Depending on the facts and circumstances, intent may or may not be required to violate this policy.*** For example, engaging in intercourse without obtaining effective consent constitutes a violation of the policy regardless of intent. On the other hand, intent may be an appropriate consideration in some instances (such as when one person brushes up against another person in a crowded room).

## **REPORTING AN INCIDENT**

The University of Saint Katherine takes reports of sexual misconduct seriously. How the University responds depends upon a variety of factors, including the wishes of the victim, the facts and circumstances of the specific incident, to whom it was reported, and the University's obligations under applicable federal and state laws.

As previously explained, there are various reporting and confidential disclosure options available to members of the University community to enable them to make informed choices about where to turn should they experience sexual misconduct. This section provides information about additional options for disclosure and reporting an incident.

## **ANONYMOUS AND THIRD-PARTY REPORTING**

The University encourages victims of sexual misconduct to talk to someone to ensure their health and wellbeing. The University provides resources for anonymous reporting for victims who do not wish to be identified. Anonymous reports may also be made to the Student Success and Services Coordinator at 760.471.1316.

The University of Saint Katherine encourages third parties to report incidents of sexual misconduct to the Title IX Coordinator/Student Success and Services Coordinator or the San Marcos Sheriff. Third parties may also report incidents to any mandatory reporter or through the anonymous reporting resources identified above. The University may not be able to move forward based on a third-party report if the victim does not wish to cooperate with an investigation. After providing a report, third parties are not entitled to information about the University's investigation and response due to privacy concerns and applicable federal and state laws.

The University of Saint Katherine encourages anyone who witnesses, experiences, or has information about possible sexual misconduct to take reasonable actions to prevent or stop such actions. Reasonable actions may include, depending on all relevant facts and circumstances, reporting the behavior (in accordance with the reporting options outlined above), directly intervening when it is safe and reasonable to do so or contacting law enforcement. Bystander intervention is an effective means by which to reduce sexual misconduct in our community. A person who has been subjected to sexual misconduct need not confront the other party; the appropriate process to address the conduct is through this policy.

## **PUBLIC AWARENESS EVENTS**

Public awareness events such as open mic-nights, protests, "survivor speak-outs" or other forums in which students



disclose incidents of sexual violence are not considered notice to the University of sexual misconduct for purposes of triggering its obligation to investigate any particular incident. To ensure that an event meets this definition, the organizing party must obtain clearance through the Student Success Coordinator. Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide information about students' Title IX rights at these events.

### **PROTECTION OF MINORS ON CAMPUS**

The University of Saint Katherine is dedicated to the welfare and safety of minors who visit the USK campus, who participate in the University's programs and activities, or who are entrusted to the University's care. Minors participating in the University of Saint Katherine programs and activities are expected to be supervised while on campus, and every adult member of the University's community is required to follow the Code of Conduct when interacting with Minors. Every member of the University community (not limited to individuals who interact with minors) is required by law to report known or suspected instances of the abuse of, neglect of, or inappropriate interactions with minors. Members making a report in good faith are protected from criminal and civil liability for making a report. Everyone is required by California law to report any type of suspected abuse, neglect, or inadequate care, in addition to suspected child sexual abuse.

### **INVESTIGATIONS**

The University recommends that reports of sexual misconduct be made to the Title IX Coordinator. If a person chooses to make an initial report to any other mandatory reporter, the mandatory reporter will refer the matter to the Title IX Coordinator. The Title IX Coordinator has responsibility for investigating reports of sexual misconduct. **Retaliation is prohibited against any person who makes a report, participates in an investigation, encourages reporting an incident, or opposes sexual misconduct.**

The University encourages community members to report violations of this policy as soon as possible after an incident, but violations can be reported at any time. If the Title IX Coordinator determines that a report should be addressed by another department, the Title IX Coordinator will direct the reporting party and/or the complainant to the appropriate department and refer the matter to that department. The Title IX Coordinator will also oversee investigated incidents that have been reported to other University officials and referred to Title IX.

**To report an incident, please contact the University's Title IX Coordinator/Student Success and Services Coordinator at 760-471-1316, visit the office, or write.** The Title IX Coordinator will provide a written notice to all involved parties of their rights, the confidential and other resources available to them, their reporting options, and the procedures that Title IX will follow.

**Email Address:** [titleix@usk.edu](mailto:titleix@usk.edu)

**Mailing Address: Title IX  
1637 Capalina Road San Marcos, CA 92069**

Persons making a report to the Title IX Coordinator should provide as much of the following information as possible: what happened, where, and when; names of all parties involved, including witnesses who were present and/or have relevant knowledge (identify them, state what they know, and understanding how they can be contacted); supporting documentation (such as videos, emails, photos, text messages, or messages through social media); any other evidence; and contact information. Everyone is encouraged to report sexual misconduct even if some or all information is unavailable or cannot be provided.

If a person calls or visits the Title IX office, a staff member will explain the role of the Title IX Coordinator, the options for reporting an incident, and the available resources for assistance, including interim measures that may be appropriate. In addition, the Title IX Coordinator will explain how any request for confidentiality will be evaluated and that confidentiality may limit the University's ability to investigate the incident.

### **DETERMINING WHETHER TO PROCEED WITH AN INVESTIGATION**

The Title IX Coordinator will conduct an intake process to assist in determining how to proceed with a sexual misconduct report and whether interim measures are needed. The intake process may include preliminary interviews of the complainant, respondent, or witnesses, consultation with other University offices (including Human Resources, the appropriate Dean's office, and other departments, as appropriate), and an initial review of potentially relevant evidence. **Both the complainant and the respondent will be permitted to ask an adviser of their choosing to accompany them to meetings related to the report of a violation of the policy, including with the Title IX Coordinator.**

The Title IX Coordinator considers a variety of factors in determining whether to conduct an investigation, including but not limited to the wishes of the complainant, any previous allegations involving the respondent, the likelihood of repeated offenses, evidence that the alleged misconduct is part of a pattern of misconduct, and the University's commitment to deter conduct that creates or contributes to a hostile environment. In no circumstances will mediation be used to resolve cases of sexual assault. Appropriate interim measures will be implemented whether or not an investigation is commenced.

If a complainant initially requests that no investigation occur, and the Title IX Coordinator determines it will not proceed, the complainant is not precluded from later requesting that an investigation be conducted, and from cooperating with the investigation. **In addition, if a complainant initially requests that no investigation occur or chooses not to participate, and the Title IX Coordinator determines it will proceed after weighing the factors listed above, the complainant is not precluded from later cooperating with the investigation.** If a complainant is undecided as to whether he/she/they would like to request and/or participate in an investigation, the Title IX Coordinator will consider a variety of factors, as discussed above, in determining whether to conduct an investigation.

If the Title IX Coordinator determines that there should be an investigation, the Title IX Coordinator will notify the complainant and the respondent. The Title IX Coordinator will ask complainants who decline to participate whether they wish to receive the preliminary and/or final investigative report. Whenever the complainant and/or respondent chooses not to cooperate with an investigation, the Title IX Coordinator will move forward based on the available information and evidence.

## **REQUESTS FOR CONFIDENTIALITY DURING AN INVESTIGATION**

If a complainant requests that his/her/their name or other identifying details not be revealed to the respondent (request for confidentiality), the University of Saint Katherine's ability to investigate the incident and address the matter may be limited. All such requests will be evaluated by the Title IX Coordinator, taking into consideration the factors listed in the section above. Even if the Title IX Coordinator determines not to investigate a report, based in whole or in part on the complainant's decision not to cooperate or request for confidentiality, the University will take actions, as appropriate, to mitigate the effects of the alleged sexual misconduct and prevent its recurrence. Such actions may include, depending on all of the relevant facts and circumstances, increased monitoring, supervision, or security at locations or activities where the alleged misconduct occurred; providing training and education for students and employees; and revising and publicizing the University's policies on sexual misconduct.

## **CHARGING, AND THE INVESTIGATIVE PROCESS**

Upon a determination by the Title IX Coordinator that an investigation involving a student respondent will be conducted, the Title IX Coordinator will normally provide a summary of the allegations. The Title IX Coordinator may request any additional information or documents that have been obtained by the reporter and anyone else involved deemed appropriate. The Title IX Coordinator will determine the charge(s) to be brought, if any, and present the charge(s) and the range of possible sanctions to the respondent. The charge(s) may be modified at any point based on information provided to or developed by the Title IX Coordinator during its investigation. After the presentation of the charge(s), the respondent will have the opportunity to agree or disagree with each of them. The charge sheet will be sent to the Title IX Coordinator.

Whether or not the investigators have already presented charges, the Title IX Coordinator will inform the respondent of the allegations, provide the respondent an opportunity to respond to the allegations, ask questions, provide information, and offer names of witnesses or other people with relevant information. A third party investigator will interview the

respondent and other individuals who, in the investigator's judgment, may have pertinent knowledge. Potentially relevant information and documents may be collected from the complainant, respondent, witnesses, and third parties. Student witnesses are strongly encouraged to cooperate with these investigations. As the investigation progresses, the investigator may seek to conduct follow-up interviews with any person as the investigator deems necessary and appropriate. If the complainant or the respondent learns of, or remembers, any additional information during the course of the investigation, he/she/they should notify the investigator immediately. The investigators will prepare summaries of its interviews, and the complainant and the respondent will be given the opportunity to review and revise the summary of their own interviews.

Prior to making a final determination, the investigators will prepare a preliminary investigative report. The preliminary investigative report will contain a summary of the information and documents the Title IX Coordinator considers relevant. The complainant and respondent will each have the opportunity to review a copy of the preliminary investigative report. To the extent possible under the circumstances of each case, other evidence, such as video, will be shared with both parties at the same time. The names and other identifying information of other students will be redacted from the preliminary investigative report to the extent required by federal or state law. Both the complainant and respondent will have the opportunity to submit written comments on the preliminary investigative report. Any such comments, which shall be no longer than five (5) double-spaced pages with one (1) inch margins and twelve (12) point font, must be submitted either by hand delivery to the Title IX Coordinator at 1637 Capalina Road, San Marcos, CA 92069, or by email attachment to the Title IX Coordinator by no later than 5pm on the fifth (5th) calendar day following the date the complainant and respondent receive the preliminary investigative report. Requests for extensions must be submitted to the Title IX Coordinator prior to the expiration of the five-day period.

The third-party investigators may investigate and make findings of fact regarding possible violations of other University policies that may have contributed to or arisen from, or that otherwise relate to, alleged violations of this policy (e.g., where an alleged sexual assault was allegedly committed by a student who may have also violated the University of Saint Katherine's alcohol and controlled substances policy). The relevant facts and information will then be shared with the Title IX Coordinator or the appropriate department for further action. If the conduct complained of involves only a possible violation of another University policy that is not alleged or determined by the investigators to have contributed to or arisen from or that does not otherwise relate to a violation of this policy, or if the conduct complained of involves only a possible violation of another policy, the Title IX Coordinator will refer the report to the department responsible for investigating and/or resolving such reports. If the report does not allege conduct that violates any University policy, the matter will be closed.

## **RETALIATION**

Retaliation is any adverse action threatened or taken, whether personally or through a third party, against another person because they have complained about, reported, or participated in the investigation or disposition of alleged sexual misconduct. Retaliation in an effort to discourage a person from reporting sexual misconduct or participating in a sexual misconduct investigation, or to punish a person for doing so, is also prohibited. Retaliation includes purposely interfering with, threatening, or damaging the academic or professional reputation, career, or co-curricular experience of another individual before, during, or after the investigation and/or resolution of a report under this policy. The University will take appropriate action to address any reports of retaliation. In addition, interference in any manner with an investigation is prohibited.

## **ADVISERS**

**Both the complainant and the respondent will be permitted to ask one adviser of their choosing to accompany them to all meetings related to the report of a violation of the policy.** The adviser for either party may confer privately with that party, but the adviser may not speak on behalf of the complainant or respondent or otherwise participate in any meeting. An adviser's failure to comply with these guidelines may result in the termination of the meeting or the adviser no longer being permitted to be present.

University personnel employed in the offices responsible for the process described in this policy, along with those in the chain of command above them, and others whose participation could create a conflict of interest with their University duties are not eligible to serve as advisers. Other University personnel, including mandatory reporters, as well as people not affiliated with the University, may serve as advisers. Persons who may be potential witnesses in the matter are not permitted to serve as advisers to the parties. If there is a question or concern about a possible adviser, please consult with the Chief Academic Officer.

## **RECORDINGS AND EVIDENCE**

The audio and/or video recording of any meeting conducted as part of an investigation under this policy is prohibited. The Title IX Coordinator shall decide in each case whether to receive evidence from experts or other witnesses. Under no circumstances, however, will the use of polygraph examinations be permitted.

## **PAST RELATIONSHIPS AND CONDUCT**

Previous sexual relationships of the complainant and respondent with others are generally irrelevant. A past, present, or ongoing sexual relationship between the parties may or may not be deemed relevant by the Title IX Coordinator. For example, past sexual activity between the parties may provide insight on communication patterns for purposes of determining if effective consent was granted on a particular occasion.

## **STANDARD OF PROOF**

The University of Saint Katherine uses the preponderance of the evidence standard of proof at every stage of the investigative process to determine responsibility for violations of this policy. **Proof meets the preponderance standard if the Title IX Coordinator determines it is “more likely than not” that the policy was violated.**

## **DETERMINATIONS**

The Title IX Coordinator with the investigators will consider any comments received from the complainant and/or respondent after reviewing the preliminary investigative report, and will conduct any further investigation and advise the parties of any additional evidence, as appropriate. Thereafter, the Title IX Coordinator will issue a final investigative report that sets forth (a) the Title IX Coordinator’s final determination, based on a preponderance of the evidence, whether the respondent engaged in sexual misconduct in violation of this policy, and (b) if appropriate, any relevant recommendations. The final investigative report will contain a summary of the information and documents on which the final determination and any recommendations are based and will address, to the extent the investigators considers appropriate, any comments received from the complainant or respondent concerning the preliminary investigative report. The comments from the complainant and respondent will also be attached as an exhibit. The investigators will provide its final investigative report simultaneously to the complainant and the respondent. The names and other identifying information of other students will be redacted from the final investigative report to the extent required by federal or state law. When the respondent is determined to have engaged in the conduct for which the respondent was charged, the final investigative report will also be forwarded to the appropriate person for sanctioning, referral, or follow-up (Chief Academic Officer for faculty, appropriate supervisor/manager and Human Resources consultant for staff, etc.). The Title IX Coordinator will also forward a summary of any evidence it received concerning possible violations of other policies to the office or department responsible for enforcement of such policies.

## **TIMELINE**

The University endeavors to conduct and complete the investigative process within 60 calendar days from the time the Title IX Coordinator determines that an investigation will go forward. Given the many variables and factors that may arise in such cases, good cause may exist for extending the time needed in some cases, such as those involving multiple witnesses and complicated evidence. The complainant and the respondent will be notified simultaneously, in writing, if the investigation process cannot be completed within 60 days, and they will be provided with a revised timeline.

The Title IX Coordinator’s ability to complete the investigative process within 60 days is enhanced when students,

witnesses, and other third parties respond promptly to requests for information, interviews, and meetings. The timeline will generally be as follows (calculated in calendar days):

- Initiation of investigation after intake interview(s) are completed – 3 days
- Investigation – 35 days
- Preparation of preliminary investigative report – 7 days
- Time for complainant and/or respondent to submit comments – 5 days
- Review of comments and preparation of final investigative report – 7 days
- Determination of sanction – 3 days

## **PRESERVATION OF INVESTIGATIVE MATERIALS**

Materials obtained by the third party investigators during the investigation will be maintained by the Title IX Coordinator.

## **PARALLEL INVESTIGATIONS WITH LAW ENFORCEMENT**

Criminal complaints may be filed with either the San Marcos Sheriff's Department or the SDPD. Both departments are not confidential resources, victims may also decline to report to these authorities.

## **ADDITIONAL INFORMATION FOR STUDENTS**

### **LIMITED DISCIPLINARY IMMUNITY FOR COMPLAINANTS AND WITNESSES**

The University understands that individuals with information about sexual misconduct may hesitate to come forward if they fear that their own violations of University policy would be revealed. While the University of Saint Katherine does not condone any violations of its policies, the University will generally extend immunity for possession or use of alcohol or drugs and any resulting intoxication to victims and potential witnesses in order to facilitate reporting and resolution of sexual misconduct incidents. Students may be referred for an alcohol or drug assessment and counseling.

### **STAY AWAY ORDERS**

Given the nature of cases involving sexual misconduct, a student may request issuance of a stay away order. For more detailed information about interim measures, please refer to the "Interim Measures" section above. Stay away orders often require that the complainant and respondent have no contact with each other during the course of the investigation and/or thereafter. The University may also employ such orders and implement other interim measures on its own initiative, as appropriate.

*Students may also seek orders of protection, restraining orders, or other similar orders issued by a court of law and may be assisted in doing so by representatives from University offices, including, for example, the CAO, the CFO, and others. If a student obtains an order of protection or similar order issued by a court, the student should share that information with the CAO.*

## **SANCTIONING**

Where the respondent is a student, and the investigators have determined that the respondent violated this policy, the Chief Academic Officer will review the final investigative report and will render an appropriate sanction. If, upon reviewing the materials, the CAO requires clarification or additional information from the investigators before rendering a sanction, the CAO may request such clarification or additional information from the investigators. The sanctioning determination will be made based on the information contained in the investigative report, with particular regard for the nature of the incident, the respondent's reported cooperation and candor, and the respondent's disciplinary history (if any).

The Title IX Coordinator will notify the complainant and the respondent simultaneously and in writing of the sanction imposed.

The guidelines for sanctions in sexual misconduct cases are set forth below.

- The range of sanctions for any student found responsible for **Sexual Assault – Intercourse** is suspension to expulsion, depending on all of the relevant facts and circumstances.
- Sanctions for **Sexual Assault – Contact, Sexual Harassment, Sexual Harassment – Hostile Environment, Sexual Exploitation, Stalking, Dating Violence, Domestic Violence, Retaliation**, or the **other delineated forms of sexual misconduct**, will range from disciplinary probation to expulsion, depending on all of the relevant facts and circumstances.
- Inappropriate behavior that does not violate this policy may be addressed under other applicable policies, including the Student Handbook.
- In some cases of sexual misconduct, participation in an evaluation and/or treatment program by an approved counseling service may be required as part of a corrective action plan that accompanies a sanction. Participation in such a program may also be a condition for readmission to the University or a condition for remaining in the University. In cases of suspension, the CAO may require the fulfillment of additional conditions for readmission to the University of Saint Katherine.
- Unless the CAO decides that an interim measure, such as interim suspension, should be imposed immediately in order to protect the safety and security of the complainant or the University community, sanctions will be effective when the appeal period expires or the appeal is decided, whichever is later.

## APPEALS

Student parties have the right to appeal the determination by the Chief Academic Officer and the sanction (if any) rendered the Advisory Committee. Student parties will be notified simultaneously in writing of this right and the procedures for appeal.

Student appeals will be decided by a panel of three Appellate Officers for Sexual Misconduct (Appellate Officers). Appellate Officers will be faculty and/or administrators appointed by the President (or the President's designee) for two- or three-year terms, who will receive annual training on issues involved in sexual misconduct, such as relevant evidence, the appeals process, standards of review, and avoiding actual or perceived conflicts of interest. Assignment to cases will be on a rotating basis. Any appeal of a finding of a violation of another University policy (and/or sanction for that violation) which arises out of or is related to an alleged violation of this policy will be decided under the process set forth in this policy by the Appellate Officers for Sexual Misconduct. An Appellate Officer may not consider an appeal if the Appellate Officer has a conflict of interest. Each Appellate Officer is responsible for determining whether or not a conflict of interest exists and may consult with the CAO, designee or the CFO, who may seek general counsel, if necessary. If a conflict does exist, the case is assigned to the next panelist in the rotation.

A petition for appeal, signed by the petitioning student, must be submitted in writing to the CFO, Ryan West, either by hand delivery to 1637 Capalina Road Office, San Marcos, CA 92069, or by email attachment to [titleix@usk.edu](mailto:titleix@usk.edu), by no later than 5pm on the tenth (10th) calendar day following the date that notice of the determination by the CAO (when the respondent is found not to have violated the policy) is sent to the parties, or following the date the complainant and respondent are notified of the sanction. Requests for extensions must be submitted prior to the expiration of the ten-day period.

The petition must be no longer than ten (10) double-spaced pages with one (1) inch margins and twelve (12) point font. The petition must include the following: a statement of the grounds for appeal, supporting explanation, and copies of, or reference to, all information not previously submitted to the CAO that the petitioner wishes the Appellate Officers to consider. Except for new information, as defined below, no documents or other evidence will be considered on appeal unless previously submitted to the CAO.

If the Impacted Party or the Respondent is dissatisfied with final determinations made under this policy, that person may file an appeal. The Appeal should be filed in writing with the Title IX Coordinator within 5 business days of the Outcome Letter, unless there is good cause for an extension. A delay in filing the Appeal may be grounds for rejection of that Appeal. The Appeal should follow the standards for review provided here and the Appeal should state the remedy sought by the appealing party. The Appeal will be forwarded to Ryan West, the University's designated Title IX Appeal Officer, who may attempt to resolve the matter informally, or may refer the matter (or any part of it) to another designee or other University



administrator to resolve the matter. The Appeal review should be completed within 20 business days unless there is good cause for an extension, including University breaks. The appeal decision will be provided in writing and the appeal decision is final. No University grievance process (including the Student Non Academic Grievance Process) is available to reconsider a final decision under this policy. For the avoidance of doubt, the appeal process under this policy will serve as the grievance process required under Title IX.

## **GROUNDINGS FOR APPEAL**

The grounds for the Appeal will usually be limited to the following considerations:

- A. Is there new compelling evidence that was not available at the time of the initial review? Were the proper criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the Impacted Party or the Respondent?
- B. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the Impacted Party or the Respondent?
- C. Given the proper facts, criteria and procedures, was the decision one that a person in the position of the decision-maker might reasonably have made?

## **FOLLOWING A SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE OR STALKING**

If you are in danger call 911.

A victim of sexual assault, dating violence, domestic violence or stalking is advised immediately to make a report as soon as possible to the police and the Title IX Coordinator.

Crimes or suspected crimes can also be reported anonymously on this USK website. University personnel are required by law to assist victims in contacting the appropriate law enforcement authorities if the victim so chooses, though the victim has a right to decline to notify such authorities. Timely reporting of sexual assaults is an important part of preventing the commission of similar crimes by the same individual in the future.

Additionally, it is important to preserve evidence as may be necessary to prove criminal sexual assault, dating violence, domestic violence or stalking, or to obtain a protection order. To aid in the prompt and accurate collection of evidence following a sexual assault, it is recommended that the victim not shower, wash, or douche; use the toilet; or change clothes prior to medical examination.

All reports of sexual assaults, dating violence, domestic violence and stalking will be handled in such a way as to protect the identity of the victim to the extent permissible by law. Disclosures of the offense in the University Daily Crime Log and/or the Annual Security Report and/or in a warning to the campus community will not contain any information readily identifying the victim.

Whether or not an individual makes an official report, he or she is urged to seek appropriate help, which may include medical evaluation, obtaining information, support, and counseling, either on or off campus.

## **VICTIM ASSISTANCE**

The University offers counseling services to students who are victims of sexual assaults, dating violence, domestic violence and stalking. Appointments can be made in person or by phoning (760) 471-1316 ext. 304. The Student Success Coordinator is also able to provide referrals for off-campus health, and counseling.

The Emergency Rape Crisis Hotline at (888) 385-4657 is staffed by counselors who are specifically trained to help rape

victims and to offer confidential support and information about legal, medical and mental health resources. Victims of alleged sexual assault, dating violence, domestic violence and stalking may request a change of academic schedule, work, residential living, and transportation situations. The University is legally obligated to grant such requests if the changes are reasonably available regardless of whether or not the victim chooses to report the crime to law enforcement. The University will make a reasonable effort to accommodate orders of protection, no-contact orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court obtained by victims of sexual assaults, domestic violence, dating violence, and stalking. Once obtained, the victim should provide a copy of the order(s) to a University official. Victims who report alleged sexual assaults, domestic violence, dating violence, and stalking- whether *they occurred on or off campus- will be provided with a written explanation of their rights and options as covered by this policy.*

## **ENFORCEMENT**

Violation of these Standards and Protocols will result in appropriate legal and/or administrative action, up to and including dismissal from the University. Violation of these standards and protocols also may subject the offender to criminal prosecution or third party civil litigation.

A student alleged to have violated this policy may be subject to the Student Conduct Process as set forth in this Handbook, even if the violation occurred off campus.

## **STATEMENT OF IMPEDING**

USK reserves the right to remove from campus any student whose behavior and/or action impedes the success of other students, staff, or faculty.

## **STUDENT-ATHLETES**

The University of Saint Katherine competes in athletics sanctioned by the NCCAA (Division I – West). More information about the NCCAA and the University's success can be found at <https://usk.edu/athletics/> or by calling (760) 761-0951. Students who are members of a USK Intercollegiate athletic team should refer to the Student- Athlete Handbook for guidelines in addition to those published in the Student Handbook.

## **STUDENT ORGANIZATIONS**

The University has a legitimate interest in being assured that all University organizations identify their goals and objectives. All such goals and objectives must be compatible with the mission statement and policies of the University and consistent with the Orthodox faith. Each organization, whether local or of outside affiliation, must obtain official recognition by whatever method is currently in operation at the University. See the Student Senate Handbook for further details.

## **STUDENT PUBLICATIONS**

Student publications at University of Saint Katherine are under direction of the Faculty. Such publications are a part of the total campus life, and in the finest tradition of journalism, they must present an objective point of view, accuracy in facts, opposing views or a variety of views on controversial issues. All campus publications are subject to approval of the President of the University as a condition of authority to operate.

## **STUDENT SUBSTANCE USE/POSSESSION POLICY**

The University of Saint Katherine is deeply concerned about the health and welfare of its students. University policies and regulations in general and alcohol and controlled substances policies in particular reflect that concern. The purpose of University policies, and the purpose of articulating them in great detail, is to enable students to make informed and, it is hoped, intelligent choices, as well as to enable them to understand the consequences of making unhealthy choices. In compliance with the federal Drug-Free Schools and Campuses regulations, the University of Saint Katherine has adopted a policy that includes the expectation that students will comply with federal, state, and local laws, including those relating

to alcoholic beverages, narcotics, and other drugs.

The University prohibits the unlawful possession, use, distribution, or facilitation of the distribution of alcohol and controlled substances by students, faculty, and staff, on its property, or as part of any University-sponsored activity. The prohibition extends to off-campus activities that are officially sponsored by the University of Saint Katherine, departments, or organizations. In addition, the prohibition extends to off-campus professional or organizational activities, including attendance at conferences, when participation is sponsored by the University, or when the participating student, faculty member, or staff member is representing the University. Finally, the prohibition extends to “private” events off campus where the University may have an interest (e.g., if a student were to provide alcohol to underage students at an off-campus location).

In addition, the improper use of prescription drugs is a serious problem on college and university campuses. For this reason, it is a violation of University policy for a student to be in possession of, or use, another person’s prescription medication or for a student to distribute medications to one person that have been prescribed for another. Note that in addition to being violations of University policy, these practices are also felonies under federal statutes.

To underscore the seriousness with which it takes the issue of health and welfare of its constituent populations, the University will impose sanctions on students, faculty, and staff - up to and including expulsion or termination of employment, and possible referral for prosecution - for violation of the alcohol and controlled substances policy. Conditions of continued employment or enrollment may include the completion of an appropriate rehabilitation program and/or active participation in a recovery program.

- The University requires that students abstain from the use or possession of marijuana and other illegal drugs
- The University requires that students refrain from the use of alcohol on campus.
- The University recommends that students abstain from the use or possession of alcoholic beverages
- The University recommends that students abstain from the use or possession of smoking products, vaping products, and tobacco products.

## **REGULATIONS REGARDING ALCOHOL & OTHER DRUG ABUSE**

All students are held responsible to applicable federal, state, local, and Saint Katherine rules and policies pertaining to alcohol and other drugs and substances. When violations of law or policy come to the attention of school officials, students may be referred for prosecution and University sanctions will be imposed. Harm to persons or damage to either private or University property arising from the actions of intoxicated individuals on the premises of the University will be the full and sole responsibility of such individuals.

1. It is a violation to promote, distribute, sell, possess, or use of alcohol or narcotics or other impairing or intoxicating substances either on- or off-campus regardless of the student’s age.
2. It is a violation to be in the company of others who are drinking alcohol, using a controlled substance, or displaying alcohol containers or drug-related paraphernalia on University property or in vehicles parked on campus.
3. It is a violation to misrepresent one’s age for the purposes of purchasing or consuming alcohol. This includes possessing a fraudulent ID. Possessing a fake ID may result in University probation on the first offense.
4. Operating a motor vehicle while under the influence of alcohol or a controlled substance is a serious threat to oneself and the community and may result in immediate suspension, expulsion, or dismissal. Anyone who injures another person as a result of driving under the influence should expect to be permanently dismissed.
5. The attempt to obtain, use, possess, distribute, or sell any amount of any potentially harmful or illegal drug (including marijuana), any substance used with the intent of becoming impaired/intoxicated, or drug-related paraphernalia is strictly prohibited. Anyone involved in the sale or distribution of any such drugs or substances on or off- campus should expect to be dismissed.
6. Promoting the consumption of drugs or alcoholic beverages may not be undertaken within the confines of University properties or through University-sponsored or approved publications. No displays of any kind that promote a lifestyle of drinking or drug use are permitted, including in vehicles parked on campus. Examples include: alcohol brand advertisements or clothing; pictures or posters of drugs or alcohol; alcohol-carrying containers or

bottle caps.

7. Any student who encourages another to consume alcoholic beverages or any substance as a means to induce that individual to engage in behavior that would otherwise be against that person's will is subject to dismissal.

8. Any student who sexually assaults another person who is intoxicated is subject to immediate dismissal.

## **SMOKING & TOBACCO USE POLICY**

1. Students smoking on campus or on University property, possessing and/or using any tobacco products (e.g. cigarettes, snuff, cigars, pipe tobacco, chewing tobacco, and including E-cigarettes/vaporizers) are in violation of University policy.

2. Smoking (including E-cigarettes/vaporizers) is prohibited on all University facilities, either inside buildings or outside.

3. Smoking (including E-cigarettes/vaporizers) is prohibited in any vehicle owned, leased, or operated by the University.

4. The sale, distribution, or advertisement of tobacco products and E-cigarettes/vaporizers is prohibited on campus.

**\*A student's refusal to test for alcohol or illegal drugs will be interpreted as an admission of guilt.**

**\*The University does not recognize the validity of - medical marijuana unless prescribed by a doctor.**

**\*The substance policy applies during any session of the academic year that a student is enrolled or employed by the University.**

## **PREVENTION**

Students are encouraged to avail themselves of drug and alcohol prevention resources. The Student Success Coordinator and the Counseling Center provides prevention, referral, and supportive resources to USK students.

## **STUDENT CONDUCT RESPONSE**

While the University of Saint Katherine reserves the right to expel a student for any student conduct substance abuse violation; the following circumstances are likely to result in immediate dismissal:

- The on campus possession of illegal drugs and/or the possession of any drug paraphernalia. This policy includes but is not limited to marijuana in any form, regardless of possession of a medical marijuana card.
- Any profane, aggressive or abusive behavior by the student during a confrontation regarding potential substance use and/or possession.
- Students who provide alcohol, illegal drugs or prescription medication to other students.
- Other extenuating circumstances including, but not limited to, selling or trafficking of alcohol, illegal drugs, or prescription medication.

Note: Students choosing not to be tested for these substances will receive consequences for the offense in question.

A *first* substance use violation may result in a substance use assessment. The assessment may be followed by a meeting with the Student Conduct Committee for the purpose of developing a Growth Plan with the student. This committee meets with the student and may include all or some of the following: the student's faculty advisor (or a member of the faculty), a member of the staff, and the Student Services Coordinator. This group works together with the student to create a Growth Plan which may include participation in campus programs, community service, a fine, written reflection and response, mentoring, and other growth responses relevant to the holistic development of the student. Depending on the violation, sanctions may also apply.

*\*Parents, spouses or guardians may be notified with the consent of the student-athlete or as otherwise permitted by law.*

A *second* substance use violation is cause for an increase in concern. Response may again, also include an additional or more extensive substance use assessment. The assessment may be followed by a meeting with the Student Conduct Committee for the purpose of developing a Growth Plan with the student. This committee meets with the student and may include all or some of the following: the, the student's faculty advisor (or a member of the faculty), a member of the staff, and the Student Services Coordinator. Other USK personnel may be utilized when the Student Conduct Committee deems it necessary and in the best interest of the student and the process. This group works together with the student to create a Growth Plan that may include participation in campus programs, community service, a fine, written reflection and response, mentoring, and other growth responses relevant to the holistic development of the student. Depending on the violation, sanctions may also apply. In the case of a second violation, the Student Conduct Committee may create an amended Growth Plan that includes participation in campus programs, community service, a fine, written reflection and response, mentoring, and other growth responses relevant to the holistic development of the student.

*\*Parents, spouses or guardians may be notified with the consent of the student-athlete or as otherwise permitted by law.*

A *third* substance use violation will result in the expulsion of a student from the University of Saint Katherine.

*\*Parents, spouses or guardians may be notified with the consent of the student-athlete or as otherwise permitted by law.*

The University reserves the right to refer drug or illegal behavior to appropriate civil authorities.

## **SANCTIONS**

Violation of University policies, may result in the imposition of one or more of the sanctions listed below. A sanction is a disciplinary action that requires the student to meet certain expectations and/or complete specific requirements within a stated time frame. Sanctions that may be imposed are not limited to those listed. University officials may impose a sanction but suspend or postpone its actual implementation.

Sanctions affecting the conduct of students are based on general principles of fair treatment. Sanctions will take into account the intent of the accused, the effect of the conduct on the victim and/or university community, the student's disciplinary history, whether sanctions such as education and community service are likely to change the student's conduct, and the student's needs and prospects for improvement. While attempting to be consistent in its disciplinary decisions, the University also seeks to be fair and sensitive to the facts and circumstances of each individual case. Some sanctions may need to be more punitive due to the seriousness of the offense.

Therefore, the designated representative and/or committee, will seek to combine a holistic and developmental approach to the student care process.

- **Warning:** An official warning is giving concerning future behavior. May include loss of or restriction from certain activities or privileges.
- **Campus Community Service:** Created to emphasize an educational response toward discipline. Students within the disciplinary process who are deemed good candidates for campus community service, as a means to make restitution for their behavior, are assigned an on-campus service project.
- **Fines:** Payment of charges for violation of regulations. These charges will be added to a student's account. These vary according to the violation.
  - **Probation:** The student is expected to show a development in responsible actions toward the University of Saint Katherine and members of the community for a specified period of time. May include limitations in or restriction from certain activities or privileges.
  - **Restitution:** Payment of financial compensation for loss, damage or injury. Failure to pay such charges may result in additional sanctions (including, but not limited to, denial of re-enrollment or refusal to release official transcripts and records).
  - **Interim Suspension:** In certain circumstances, the Chief Academic Officer may immediately impose a University suspension. Interim suspension may be imposed:
    - a) to ensure the safety and well-being of members of the University community or preservation

- of University property;
- b) to ensure the student's own physical or emotional safety and well-being; or
- c) if the student poses a credible threat of disruption of or interference with the normal operations of the University

During the interim suspension, the student will be denied access to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible. The interim suspension shall extend only until such time as an adjudication (see above) can be completed and other sanctions (if any) imposed.

- Suspension: The student is involuntarily separated from the University for a specified length of time. Absences from classes and chapels are not excused and academic work that is missed may not be made up.
- Administrative Withdrawal: The student is required to withdraw from the University without the privilege of returning until a time specified by the Chief Academic Officer.
- Expulsion: The student is permanently separated from the University with a notation of the reasons for the termination in his/her file. No refunds are made and the student will suffer the academic consequences of his/her actions.

### **LOCAL, STATE, AND FEDERAL SANCTIONS**

Some local, state and federal laws establish severe penalties for the unlawful possession or distribution of illicit drugs and alcohol. These sanctions, upon conviction, range from a fine and probation to lengthy imprisonment. The following websites provide more information regarding state and federal codes related to drugs and alcohol.

California Codes [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html)

Federal Code [www4.law.cornell.edu/uscode/](http://www4.law.cornell.edu/uscode/)

### **NETWORK USAGE POLICY**

This policy is a guide to the acceptable use of the University of Saint Katherine network. It is intended to address issues involved in the use of the University's wired and wireless networks, as well as the Internet for transfer of information. This includes but is not limited to e-mail, file transfer, or use of applications which utilize the networks. In the case where electronic information is carried across other networks (i.e., outside USK), users are advised that acceptable use policies of those networks also apply and may further limit use.

#### ***PURPOSE AND GOAL***

The University of Saint Katherine networks are the property of the University and have been established to facilitate an exchange of information that is consistent with the academic, educational, and research purposes of USK.

#### ***PERMITTED USE***

Students, faculty, staff, and affiliates of the University of Saint Katherine are granted temporary access to the networks and the Internet to assist them in their academic, educational, and research responsibilities as they pertain to USK. Personal use is permitted, provided it follows the guidelines described in this policy.

#### ***LIMITATIONS OF USE***

All users are expected to use the University's computing resources and the Internet in a professional, lawful, and ethical manner, consistent with USK's Student Code of Conduct.

#### ***PROHIBITED USES***

Without prior permission from the University, the networks may not be used to disseminate commercial advertisements, solicitations, promotions, destructive codes (e.g., viruses, trojan-horse programs, etc.) or any other unauthorized materials.

#### ***ILLEGAL COPYING***



Users may not illegally copy material protected under copyright law or make that material available to others for copying. Users are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, music files, or any other material.

#### ***FRIVOLOUS USE***

Network bandwidth and storage have a finite capacity, and all users are expected to be responsible in their use of these resources. Users are not permitted to monopolize these resources. Examples of this include but are not limited to sending mass e-mail or chain letters or using applications that create excessive loads on network traffic.

#### ***OBJECTIONABLE MATERIAL***

The University of Saint Katherine maintains the right to utilize software that makes it possible to identify and block access to Internet sites containing sexually explicit material or other material deemed inappropriate in the USK community or in any way inconsistent with the University Student Code of Conduct.

#### **ELECTRONIC PRIVACY**

##### ***MONITORING OF COMPUTER AND INTERNET USAGE***

The University of Saint Katherine has the right to monitor and log any and all aspects of its networks and computer systems, including but not limited to Internet sites visited by users, chat and newsgroup activity, application and network bandwidth usage, and file transfers.

##### ***DATA SECURITY***

Services provided through USK's networks have security measures in place to protect the loss, misuse, and alteration of the information under our control. While we make every effort to ensure the integrity and security of our networks and systems, we cannot guarantee that our security measures will prevent third-party hackers from illegally obtaining this information.

##### ***USER ACCOUNTS & PRIVACY***

In cases where individual user accounts are administrated by USK, University Administrators may have the ability to access, monitor, use, or disclose data within the accounts.

##### ***ACCOUNT SECURITY***

Users are typically assigned account IDs and passwords for access to the University's networks and computer resources. Accounts are provided for exclusive use of the specific individual to whom they have been assigned. Transfer, possession, or use of account information that has been assigned to another individual is not permitted. Use of any USK account constitutes giving one's word as the appropriate user of that account and signifies acceptance of the purposes outlined in this policy.

##### ***VIOLATION OF POLICY***

An appropriate University official will review alleged violations of this policy on a case-by-case basis. Violation of policy may result in disciplinary action, in the case of students and employees and/or restriction of access to the networks or to network-based services.

\*The University of Saint Katherine reserves the right to modify this policy at any time.

#### **THEFT, BURGLARY AND DAMAGE TO PROPERTY**

Damage, vandalism, littering, or theft of University property or property of a University member or campus visitor by a student or student groups may result in corrective action through the office of the Student Success and Services Coordinator, as well as the responsible student(s) being held financially responsible for the cost of repair or replacement.

For example, a student may leave a window open during cold weather causing burst pipes and the flooding of student

rooms and common areas. Or, a student may cause a fire triggering the building's sprinkler system causing both water and smoke damage to student rooms and common areas. In these cases, the students committing the acts may be held responsible not only for accountability purposes, but also for the financial losses suffered by other students and the University resulting from these events. Students may be held financially responsible for damages or losses resulting from accidents or negligence. Students who suffer losses under such circumstances must take their claims to their own homeowners or renters insurance carriers. These companies may subrogate the claims to the carrier of the responsible student's insurance.

(Note: Among the most common occurrences is water damage caused by the triggering of interior sprinklers as a result of horseplay, or hanging objects from sprinkler heads.

Breaking and entering, petty larceny, thefts, embezzling of funds, and similar activities are considered to be major offenses against the University community and will be subject to disciplinary action by the University in addition to possible civil prosecution.

### **THREATS AND VIOLENCE AGAINST PERSONS OR PROPERTY**

A supportive community cannot exist where threats occur or where people fear injury or harm. Therefore, threats of violence or violence against persons will result in immediate removal from the University and from University property.

### ***UNAUTHORIZED ENTRY***

Entering into any University building, facility or area without authorization is prohibited.

### ***UNAUTHORIZED POSSESSION OF KEYS***

The possession of keys by students, or the making of duplicate keys to campus properties without being specifically issued by authorized campus personnel, is prohibited.

### ***UNAUTHORIZED PRESENCE, IMPROPER USE***

Unauthorized presence on or improper use of any University of Saint Katherine is prohibited. This includes the unauthorized use of University facilities (i.e. private parties, misuse of the campus, unauthorized solicitation or distribution of advertising materials on University property). It also includes an individual's presence in an area from which he or she has previously been banned.

### **VISITORS TO THE CAMPUS**

University of Saint Katherine is provided primarily to accommodate the immediate University community, (i.e. students, faculty and staff). As a private, independent University, the campus is private property. The University reserves the right to regulate admission of visitors and to require visitors to obtain a permit under controlled conditions.

### **ADDITIONAL REGULATIONS**

The University may, from time to time, enact and publish additional policies and regulations. These will be added online to the Student Handbook and a notice of such changes will be sent to you through your individual usk.edu email address.

### **ENFORCEMENT**

Violation of these Standards and Protocols will result in appropriate legal and/or administrative action, up to and including dismissal from the University. Violation of these standards and protocols also may subject the offender to criminal prosecution or third party civil litigation. A student alleged to have violated this policy may be subject to the Student Code

of Conduct Process as set forth in this Handbook even if the violation occurred off campus.

## **STUDENT COMPLAINTS**

University of Saint Katherine students can request a complaint form from the Office of the Registrar or Student Success and Services Coordinator's Office at any time, or students may file the complaint online. The complaint will be submitted to the Chief Academic Officer for review. The complaint procedure is designed to assist students who have perception of unfair and/or unlawful treatment. A student is defined as "a person who has gained admission." Admission is further defined as "Admission means selection for part- time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an education program or activity operated by a recipient. (See the Academic Catalog for more detailed definition of student) A complaint of unfair and/or unlawful treatment formally charged by a student against a University employee, in regard to the application of University rules, policies, procedures, and regulations, should be resolved without initiating the formal procedure if at all possible. This procedure does not supersede the policies set forth for grievances of discrimination, harassment, or grade appeals. Access to these policies is listed on the following pages. Please note that it is generally beneficial to the student to discuss the problem with University personnel prior to filing a formal complaint. University personnel are available to advise students. Students should not hesitate to contact a faculty member, counselor, or any other University staff person.

## **EMOTIONAL HEALTH AND WELL-BEING**

### ***COUNSELING AND REFERRALS***

Counselors assist students and their families in resolving a wide variety of problems. Our counselors provide short-term counseling (with referrals as needed), crisis intervention, and education to the students and their families. If you are in need of counseling services, please call

- **Mental health professional**

Sara A. Galbraith, Psy.D, Clinical Psychologist, Lic # PSY26376

760.566.9087

[Sara.Galbraith.psyd@gmail.com](mailto:Sara.Galbraith.psyd@gmail.com)

- **Drug and Alcohol Abuse**

Khouria Christina Reimann, MA, MED, CADAC II

760.891.8701

[khcreimann@usk.edu](mailto:khcreimann@usk.edu)

- **Campus Priest**

Fr.

John

Reimann

[frjohnreimann@usk.edu](mailto:frjohnreimann@usk.edu)

- **Fellowship of Christian Athletes Coordinator**

Jeff

Ramos

[jramos@usk.edu](mailto:jramos@usk.edu)

Other than these confidential resources, other faculty and staff are required to report incidents to the Title IX Coordinator. If a reporter is unsure how private or confidential a staff or faculty member can keep a report, the reporter should ask prior to disclosure. Faculty and staff are expected to respond honestly and identify alternative resources if needed.

We strive to protect your privacy and hold your information in confidence. Confidentiality means that your contact with the University counselor does not go on your academic record and that clinical materials will not be disclosed to any other office or individual unless you have a signed written release for this to occur.

There are, however, some exceptions to confidentiality. Counselors are required to release certain information in

situations in which there is potential harm to self or others. While these types of events are extremely rare, you should know that these possibilities exist. In addition, files may be reviewed by professional review teams and data that you have supplied are used in agency evaluation and research. All materials are handled confidentially and no materials with identifying information (except billing purposes) will leave the agency without a specific release to do so.

### ***SUICIDE HOTLINE***

The USA National Suicide Hotline numbers are 1-800-SUICIDE (800-784-2433) or 1-800-273-TALK (1-800-273-8255), San Diego Access & Crisis Line (1-800-479-3339) (619-641-6992). These resources are available 24 hours a day, 7 days per week. California Teen (1-800-852-8336) is available 6 to 10 p.m. Monday through Friday.

### ***SPIRITUAL LIFE***

The Apostle Paul reminds us that we are “all members of one another” (Ephesians 4:25). The relationship and communion we share with Christ and with one another form the foundation of our Christian community of faith and learning.

### ***UNIVERSITY CHAPEL***

The Saint Katherine Chapel is available to all students for services and individual devotion. Please be respectful of the chapel at all times.

The Chapel will offer services on Monday and Wednesdays.

- Monday 11:00 – 11:25 AM ***Students with last names beginning with A-L***
- Wednesday 11:00 – 11:25 AM ***Students with last names beginning with M-Z***

The sacred services call for a respectful attitude and reverence on the part of all persons attending.

### ***SELF-DISCIPLINE***

The traditional disciplines – prayer, fasting, and almsgiving – are fundamental components of Christian life. The reading of Sacred Scripture and the writings of the Fathers, private prayer, and spiritual readings are essential to spiritual growth.

### ***CHAPLAINS***

Priests from the various Orthodox churches in the area have volunteered to aid the University and the students. They will

- Help coordinate the liturgical life on campus
- Assist the President and
- Offer spiritual counsel, guidance and friendship to students, faculty and staff

### **CONTACT INFORMATION**

#### **Chief Academic Officer**

Dr. David Huwiler  
[dhuwiler@usk.edu](mailto:dhuwiler@usk.edu)

#### **Chief Financial Officer**

Ryan West  
[rwest@usk.edu](mailto:rwest@usk.edu)

#### **Dean of Admissions and Registrar**

Marina Karavokiris  
[mkaravokiris@usk.edu](mailto:mkaravokiris@usk.edu)

#### **Student Success and Services Coordinator**

Alyssa Ramos, MBA  
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#### **Athletic Director**

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