



# The Bruin Guide

2024-2025

# Table of Contents

<b>I. Introduction.....</b>	<b>5</b>
<b>II. Governing Ideas.....</b>	<b>7</b>
From the President .....	7
Vision and Mission .....	9
Vision .....	9
Mission Statement .....	9
<b>III. Code of Conduct .....</b>	<b>11</b>
Introduction .....	11
Community Commitments.....	13
Individual Worth .....	13
Personal Integrity .....	13
Critical Thinking .....	13
Self-Control .....	14
Community Responsibility .....	14
Pledge .....	14
Policies.....	14
Individual Worth.....	17
Anti-Discrimination and Harassment Policy .....	17
Pregnancy and Parenting Non- Discrimination .....	18
Where to Report Discrimination/Harassment.....	18
Sexual Harassment/Discrimination/Complaint/Grievance.....	19
Sexual Misconduct Policy .....	19
Hazing Policy.....	38
Physical Conflict Policy .....	39
Personal Integrity.....	41
Honor Pledge.....	41
Assisting and/or Condoning Conduct .....	51
Deceptive Behavior Policy .....	51
Inappropriate Internet and Computer Use Policy .....	51
Responsibility for Guests On Campus .....	51
Critical Thinking .....	53
Copyright Policy.....	53
Self-Control.....	55
Damage to Property or Premises.....	55
Failure to Comply Policy .....	55
Security Equipment Tampering .....	55
Social Media Policy.....	55
Alcohol and Drug Policy .....	55
Community Responsibility.....	67
Fire Hazards & Combustible Materials .....	67
Pets and Other Animals Policy .....	67
Assistance Animals.....	67
Theft Policy .....	68

Security is Everyone’s Responsibility.....	68
Tobacco-Free Campus Policy .....	68
Unauthorized Entry.....	69
University Posting.....	69
Weapons-Free Campus Policy.....	71
Sledding Policy.....	72
<b>IV. Notices and Statements .....</b>	<b>75</b>
Annual Security Information Report .....	75
Appropriate Clothing and Shoes .....	75
Business Ventures on Campus Notice.....	75
Complaints and Grievances .....	76
Well-Core .....	77
Directory Information .....	78
Emergency Action.....	78
Facility Usage.....	79
FERPA Notification of Rights .....	79
Film.....	80
Graduation Judicial Restrictions .....	81
Identification Cards.....	81
Lawns and Grounds .....	81
Missouri .....	82
Ownership of Creative Works .....	82
Residence Halls .....	83
Roller Skates, etc. ....	83
Rented Scooters – Dockless Bicycles .....	84
Search and Seizure.....	84
Student Authorization to Use Photograph or Video .....	84
University E-mail Communications to Students .....	85
University Facilities Usage.....	85
Use of Internet and Computer Resources .....	85
Protest and Demonstration Policy.....	86
<b>V. Accountability Process for Violations of Community Responsibilities.....</b>	<b>93</b>
Introduction .....	93
Accountability Procedures .....	95
Process Statements.....	99
Potential Consequences .....	100
<b>VI. Campus Activities .....</b>	<b>103</b>
<b>Student Formation.....</b>	<b>103</b>
Student Organization Classifications.....	103
Student Organization Defined.....	103
University Recognition for New Student Organization .....	103
Division of Student Formation Multiple Student Leadership Policy.....	103
Organization Behavioral Expectations.....	104
Student Organization Accountability Process .....	105
Accountability for Organizational Policies .....	110
Withdrawal of University Recognition .....	110



# I. Introduction

Welcome to Belmont University!

Helpful information and policies are within The Bruin Guide. In particular, The Bruin Guide communicates critical information about your rights and responsibilities as a student and prepares you to be successful in negotiating the policies and procedures of campus life. There are three sections to The Bruin Guide. The Governing Ideas includes a letter from the President and outlines the University's mission statement and values. The Code of Conduct section describes our Community Commitments and the student disciplinary process, including specific policies, as well as important notices and statements. The last section, Student Engagement, offers information and direction regarding Student Clubs and Organizations, Well Core (Convocation) and event planning. Occasionally, policies will change during the academic year.

The policies and processes in these guides are the most current and supersede any other version found outside this web publication. Please continue to refer to this website for the most current version of the guides. We hope you find The Bruin Guide to be a valuable resource during your time at Belmont University.

**Janelle Briscoe**

Director of Community Accountability





## II. Governing Ideas

### FROM THE PRESIDENT

Dear Student,

Welcome to Belmont University! I am honored and grateful that you have chosen to join our campus community.

At Belmont, we want you be a Bruin for life. Whether you are in your first year on this campus or in your last semester preparing for whatever the future may hold, you are now and will always be a member of the Bruin family. You are not simply attending Belmont—you are part of this University, and we're grateful for what you contribute to our community.

Our focus is on you. We want to help you discover your 'North Star,' the God-given purpose that will help you orient your life and give extraordinary meaning to what sometimes may feel like ordinary days. While you're on this campus, we want to also cultivate an entrepreneurial mindset in you to keep you focused on a future that none of us can see or fully imagine now.

Finally, here, we know that the real value of your education comes with both the credential you receive at graduation and the kind of person you become. Whatever your program of study, we want to help you develop more than confidence in your field. We want Belmont grads to be caring, compassionate, competent people of character. This Bruin Guide helps outline our expectations toward that kind of holistic development.

Drawing inspiration from Ephesians 3:20—which reminds us that God is able to accomplish abundantly far more than all we can ask or even imagine—I'd invite you to see Belmont as a place where together we can "Let Hope Abound." As a Christ-centered institution, through all of our efforts, Belmont can and should help to reweave the social fabric, both within our campus community and through our influence on the broader world. I'm excited to be on this journey with you.

Let Hope Abound,

**Dr. L. Gregory Jones,**  
President





## VISION AND MISSION

### VISION

To be the leading Christ-centered university in the world, radically championing the pursuit of life abundant for all people.

### MISSION STATEMENT

Belmont University is Christ-centered, student focused community, developing diverse leaders of purpose, character, wisdom and transformational mindset, eager and equipped to make the world a better place. Faculty, administration and staff commit themselves to guide and challenge students to develop their full potential in order to lead lives of meaning and purpose.

Belmont University is a Christian Community. The University faculty, administration and staff uphold Jesus as the Christ and as the measure of all things. Students encounter Christian values relevant to personal growth, service and spiritual maturity and are expected to commit themselves to high moral standards.

Belmont University is academically challenging. The University offers rigorous undergraduate and graduate programs emphasizing knowledge and discernment, intellectual discourse and debate and humble engagement of cultural and social perspectives within a framework of ethical and moral reflection. All learning contexts stress the skills and dispositions necessary for lifelong learning and the sustaining value of higher education in each person's professional and personal life.

Belmont University welcomes everyone from diverse backgrounds. The University upholds the dignity of all and fosters an atmosphere of respect for the civil expression of divergent perspectives that enables students to learn, live, work and socialize together.



# III. Code of Conduct

## INTRODUCTION

The Code of Conduct is a portion of The Bruin Guide, which outlines our community expectations, policies and disciplinary process. Students, faculty and staff voluntarily enter into membership in the University community and, in so doing, assume obligations of performance and behavior reasonably expected by that community for the purpose of furthering its mission, vision, processes and functions.

**Students accept the expectations and policies set forth in this code and other University rules, regulations, procedures, policies and guidelines or to comply with the directives and policies of the university regarding campus health and safety when they are admitted to the University (see “Scope” under “Adjudication Process”). Students are also subject to the laws of the state of Tennessee.**

The language used in this handbook is not intended to create nor is it to be construed to constitute a contract between Belmont University and any one or all of its students. It is the student’s responsibility to read the Code of Conduct. Please note that the Code of Conduct does not contain all policies of the University and its units, but rather highlights important campus-wide policies. Students are responsible for any other pertinent policies, handbook or expectations of other University units the student may be involved in and will be subject to any unit within the University to which the student belongs.

In order to carry out its mission, the University community shall promulgate and enforce appropriate rules, regulations and policies and take action when violations of such rules, regulations and policies occur. In order to gain more information about that action, please refer to the Disciplinary Process for conduct violation and the Academic Honor System for violations that are related to academic standards and performance.

The policies section of the Code of Conduct is outlined within our Community Commitments.

Please be aware that the Code of Conduct is only available via the internet. If you have any further questions, regarding the Code of Conduct, please contact the Director for Community Accountability in the Dean of Student’s Office at **615.460.6407** or e-mail **accountability@belmont.edu**.







## COMMUNITY COMMITMENTS

Belmont University's success in achieving its mission and vision is highly dependent on the quality of the community it creates among its participants. Its high aspirations for students' experience and development rest upon and are reflected by high aspirations for individual and community interactions throughout University life. As part of the overall Code of Conduct, five commitments undergird the institution's policies and inform its expectations for members of the University community; these five commitments are: Individual Worth, Personal Integrity, Critical Thinking, Self-Control and Community Responsibility.

Students' behavior is expected to model these commitments. Each student's enrollment and participation in University life is conditioned upon behavior that is consistent with these commitments. Students who engage in behavior that betrays the University's Community Commitments or fails to conform to the policies based on them will be subject to disciplinary action. Refer to the jurisdiction statement under the Adjudication Process section of The Bruin Guide for the full extent to which student behavior may be addressed.

### INDIVIDUAL WORTH

The Belmont community is committed to the dignity and worth of every individual, recognizing that each person is unique and possesses both rights and responsibilities. This commitment to individuals' worth is expressed through respect for differing opinions, attitudes and cultures and fair and just treatment for all. Further, civil communications, interactions and resolutions of disagreements are essential to the recognition of another's dignity and worth.

As members of the Belmont community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: physical abuse, threats, intimidation (verbal or otherwise), harassment, hazing, coercion and/or other conduct that affronts, threatens or endangers the welfare, dignity or worth of any person.

### PERSONAL INTEGRITY

The Belmont community is committed to personal integrity as the foundation of University life and the cornerstone of a premier educational experience. Mutual trust among its members is essential to scholarship and prerequisite to effective interactions and operations throughout the University.

As members of the Belmont community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: cheating; plagiarism; forgery; deliberate deception; furnishing false information; alteration or misuse of any official document, record or instrument of identification; abuse of computing resources and/or other conduct that betrays, impairs or diminishes trust among members of the University community.

### CRITICAL THINKING

The Belmont community is committed to the pursuit of truth and the communication of knowledge. It encourages individuals to develop the ongoing capacity for critical, independent thinking and judgment, both inside and outside the classroom. It affirms the individual's right to teach and to learn, and their responsibility to prepare adequately.

As members of the Belmont community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: disruption or obstruction of teaching, research, convocation, campus life

programs and events, residential education, administration, disciplinary proceedings and/or other University activities including public-service functions or authorized non-University activities occurring on University premises.

### **SELF-CONTROL**

The Belmont community is committed to self-control and to individuals' accountability for the effects their behaviors have on themselves and others. This recognition of personal responsibility prepares all individuals to develop intellectually, spiritually, socially, emotionally and physically.

As members of the Belmont community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: smoking, sexual conduct, failure to comply with University officials, infringing on others use or enjoyment of University property or activities, violations of University policies regarding alcohol and drugs and/or acts that elevate individual desires or impulses to the detriment of others.

### **COMMUNITY RESPONSIBILITY**

The Belmont community is committed to its students successfully living and learning together and to maintaining respectful interactions with individuals in the communities beyond our campus. For this reason, students are called to respect the rights and properties of others. Students are also expected to comply with the laws of society and the just administration of those laws. Finally, the University encourages responsible citizenship, service and stewardship of its resources.

As members of the Belmont community, students can expect reasonable actions will be taken to ensure that their experience will be free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: gambling; attempted or actual theft; possession of stolen items; damage to public, private or personal property; unauthorized possession, duplication or use of keys to any University premises; unauthorized entry or use of University premises; disruptions of the residential living; visitation violations; fire hazards; tampering with security equipment; harboring illegal pets in the residence hall; encouraging prohibited behaviors or illegal acts and/or illegal or unauthorized possession of firearms, explosives, knives of unlawful length, or other weapons or dangerous chemicals on University premises. In addition, students are expected to comply with all University policies, as well as with federal, state and local laws.

### **PLEDGE**

Upon matriculating to Belmont, students pledge the following:

*"As a member of the Belmont University community, I commit myself to affirm individual worth, uphold personal integrity, apply critical thinking, practice self-control and accept community responsibility. In committing myself to these principles, I agree to exemplify behavior which is consistent with the University's Code of Conduct."*

### **POLICIES**

Based on our Community Commitments, Belmont University has developed policies to assist its members in understanding what is expected of them and to assist the community at large in operating more smoothly, effectively and safely. Knowledge of these policies and/or expectations is the student's responsibility and will enable them to navigate successfully within the University community. In order to highlight the importance of our Community Commitments, we have outlined the policies within the Code of Conduct by the five commitments, which provides a greater context of our rationale for each policy.









## INDIVIDUAL WORTH

### ANTI-DISCRIMINATION AND HARASSMENT POLICY

#### Overview

Belmont University values the dignity and worth of every individual, recognizing that each person is unique with certain rights and responsibilities; therefore, any form of harassment is contrary to our Community Commitments and to the Christian standards of conduct expected of all members of the University community. Employees and students have the right to be free from harassment. Employees and students are prohibited from engaging in harassing conduct toward any other person. For harassment based on pregnancy, gender, gender identity, sexual orientation, or sex, please refer to the Sexual Misconduct Policy.

The University's prohibition of harassment applies to members of the University community, visitors to the campus and contractors and others who do business with the University or who use University facilities.

For purposes of this specific policy, harassment denotes any conduct that creates an intimidating, hostile or offensive environment for another individual because of one or more of the following identity categories (perceived or otherwise): race, color, ethnicity, national origin, religion, age/generation, socio-economic status, military service, and disability and when:

- submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment or participation in University activities;
- submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting the individual;
- such conduct has the purpose or effect of interfering with an individual's work, academic performance or participation in University activities or creates an intimidating, hostile or offensive University environment.

Harassing conduct includes, but is not limited to, the following:

Without limitation, slurs, jokes, symbols, other verbal, graphic or physical conduct that denigrates or shows hostility or aversion toward an individual, or that of their relatives, friends, or associates based on a protected category.

- I. Acts that invade the privacy of another individual (including but not limited to repeated contact in person, in writing, via phone, online, etc.), to create fear for that individual's life or personal safety.
- II. VERBAL CONDUCT such as epithets, derogatory comments, or slurs.
- III. VISUAL/ELECTRONIC CONDUCT such as offensive and derogatory posters, cartoons, GIFs, videos, social media, calendars, and drawings in physical or virtual/online contexts.
- IV. PHYSICAL CONDUCT such as assault, unwanted touching, blocking normal movement or interference with activities.
- V. THREATS relating to an identity category that would cause a reasonable person to fear for their personal safety, job benefits, or academic benefits.

In determining whether an alleged behavior constitutes discrimination and/or harassment, the full context in which the incident occurred will be considered. Any retaliatory action or behavior taken toward an alleged victim because of their decision to report a violation, pursue school disciplinary action, or criminal/agency action, is prohibited. Retaliation by either party may result in disciplinary action.

## RESOLUTION

Student reports against faculty or staff:

Students who have witnessed or experienced behavior that falls within this definition and wish to report it to the Belmont University administration are encouraged to first attempt to resolve the issue with relevant departmental leadership. If the grievance is not resolved by contacting the department directly, the student should follow up with an e-mail to the representative of that department/area and detail the concern so that the student's concern is documented. The recipient of the e-mail, or an appropriate area designee, will respond in a timely manner.

Please note—if student is not comfortable reporting to departmental leadership, then they can contact the Office of Hope, Unity, and Belonging directly.

If unable to resolve the issue at the departmental level, students may seek review with possible alternative resolution through the Office of Hope, Unity, and Belonging by submitting a report via e-mail or online.

Student reports against other students:

Students may seek review with possible alternative resolution through the Office of Hope, Unity, and Belonging by submitting a report via e-mail or online.

## PREGNANCY AND PARENTING NON-DISCRIMINATION

Belmont University does not discriminate in its employment practices, educational programs or activities, on the basis of pregnancy, pregnancy-related conditions or new parenthood. Any student who believes they may have a need for a pregnancy-related accommodation and/or service should contact the Title IX Coordinator (listed below).

## WHERE TO REPORT DISCRIMINATION/HARASSMENT

Inquiries or complaints of discrimination/harassment should be directed as follows:

For Sexual Harassment/Discrimination, Pregnancy Discrimination, Sexual Misconduct (consult Sexual Misconduct Policy):

### **Carly G. Elliott J.D.**

*Director of Institutional Equity and  
Compliance & Title IX Coordinator*

Office of Hope Unity & Belonging

carly.elliott@belmont.edu

Submit an online report at ASKBU

Email TheHUB@belmont.edu

The Director of Institutional Equity and Compliance serves as the primary coordinator of response and support to students with discrimination or harassment concerns. They reserve the right to assign a designee when needed.

## INVESTIGATIONS

The Director of Institutional Equity and Compliance may deem it necessary to investigate and will assign an investigator. The nature and scope of the investigation will be determined on a case-by-case basis. The investigation may consist of the following:

- Interview of the complainant
- Interview of the responding individual or unit/department
- Interview of witnesses
- Document/evidence review

## **SEXUAL HARASSMENT/DISCRIMINATION COMPLAINT/GRIEVANCE PROCESS FOR STUDENTS**

See Sexual Misconduct Policy in *The Bruin Guide*

### **SEXUAL MISCONDUCT POLICY**

#### **Statement of Policy**

Belmont University is a Christian community of learning and service. Our community is committed to the dignity and worth of every individual, which is embodied in our Community Commitment to Individual Worth. Discrimination on the basis of sex, including sexual misconduct, is the antithesis of this Community Commitment. Because of our faith commitment, community values and obligations of federal law under Title IX of the Education Amendments of 1972, members of the Belmont community, guests and visitors have the right to be free from sexual misconduct and from retaliation for reporting incidents of sexual misconduct. Accordingly, the community rejects and responds assertively to sexual misconduct violations. When violations are found, Belmont will take action calculated to stop the behavior, ameliorate its effects and/or prevent the behavior from reoccurring. Such action is likely to include, but is not limited to, suspension, expulsion or dismissal of the person who violated this policy. This policy statement is aided and supported by the University's Substance-Free Community Policy as well as by its practice of providing secure, single-sex, on-campus residential living areas.

#### **Preemption Clause**

The following process alters the general Accountability Process found in *The Bruin Guide* and the *Employee Handbook*. This process governs the community's response to sexual misconduct violations. When an incident involves multiple alleged violations, one of which is an alleged violation of the Sexual Misconduct Policy, this process will control for all violations.

#### **Authority and Delegations**

The Title IX Coordinator/Director is the University authority responsible for ensuring compliance with this policy. At the discretion of the Title IX Coordinator/Director and in a manner not inconsistent with this policy, any of the duties or responsibilities described herein as belonging to the Title IX Coordinator/Director may be delegated or assigned.

#### **Computation of Time/Notice by Official Email**

Unless specifically indicated otherwise, timelines in this policy will be calculated using University business days (i.e., non-holiday weekdays on which the University is open and operating, whether or not classes are in session).

An email to a Belmont-provided email address, or any contact effort for non-Belmont individuals, shall be considered official notice under this Policy.

#### **Jurisdiction**

The University retains the right to address violations of its Sexual Misconduct Policy when the violation involves: a Complainant and a Respondent that are both members of the Belmont community, such as, but not limited to, students, faculty, staff and contractors and (1) the incident occurred on campus; (2) the incident occurred at an off-campus Belmont activity or event; or (3) the incident occurred off-campus and denies or limits the ability of the Complainant to participate in or benefit from Belmont's educational programs or activities.

When the Complainant or Respondent is not a member of the Belmont community, it limits the authority the University can exercise over that individual. In those situations, the University retains the right to conduct an investigation and provide appropriate remedies. The Title IX Coordinator may continue under the Alternative Sexual Misconduct Accountability Process, refer the Respondent to a more appropriate University process for a response, close the matter or take other action within the administrative discretion of the Title IX Coordinator.

## The Sexual Misconduct Policy and Other Policy Violations<sup>1</sup>

The well-being and safety of Belmont community members is of critical importance to our community. Accordingly, special consideration will be given in cases where concern over other violations of policy may create a disincentive for Belmont individuals to report violations of the Sexual Misconduct Policy.

If a person(s) reports a violation of the Sexual Misconduct Policy, the University may choose not to pursue any violations it learns of related to the incident. These violations may include, but are not limited to, violations of the Substance-Free Community Policy, Visitation Policy, Sexual Values Policy, etc. This applies to the person making the report, witnesses or others who may be able to provide information and the person who experienced the sexual misconduct if he or she is someone other than the reporting person.

The University's goal in not pursuing potential violations by others involved is to encourage reporting. It does not condone those violations. Accordingly, this special consideration will not excuse any violations by someone found to be in violation of the Sexual Misconduct Policy.

### Definitions

- A. Consent: Belmont University defines consent as follows. Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual behavior. Consent to any one form of sexual behavior does not automatically imply consent to any other forms of sexual behavior. Previous relationships or prior consent cannot imply consent to future sexual behavior. Consent cannot be given by someone under the age of 18. Consent cannot be given by someone who is incapacitated or who is being subjected to Coercion.
- B. Coercion: Words or conduct that, viewed from the perspective of a Reasonable Person, substantially impair a person's ability to voluntarily choose whether to engage in a particular sexual act. Coercion is something more than mere seduction or persuasion. Coercion includes, without limitation:
  - i. Physical force; and
  - ii. Words and /or conduct that would cause a Reasonable Person to fear imminent harm to the person's health, safety or property or that of a third person; threat of the loss of a job benefit; or kidnapping of the person or a third person.
- C. Incapacitated (or Incapacitation): A temporary or permanent state in which a person cannot make informed, rational judgments (e.g., judgments concerning sexual contact, sexual intercourse or sexual exploitation) because the person lacks the physical or mental capacity to understand the consequences of their words and/or conduct; and /or the person is unable to physically or verbally communicate consent.
- D. Preponderance of the Evidence: The amount of evidence that causes one to conclude that an allegation is probably true (i.e., more likely true than not true). If the evidence on a particular allegation is equally balanced, then that allegation has not been proved by a preponderance of the evidence.
- E. Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment or sexual misconduct.
- F. Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or sexual misconduct.

---

<sup>1</sup> The Sexual Misconduct Policy, in part, addresses non-consensual sexual behavior. This policy is not to be confused with the community's policy regarding consensual sexual behavior. Please refer to the "Sexual Values Policy" in the Community Commitment to Self-Control section of The Bruin Guide for expectations related to consensual sexual behavior. Consent is defined under the Definition section of the Sexual Misconduct Policy.

- G. Responsible Employee: A Belmont employee who has the authority to redress sexual misconduct, who has the duty to report incidents of sexual misconduct or whom a student could reasonably believe has this authority or duty.
- H. Reasonable Person: Any Belmont employee who is not employed in Facilities Management Services and is not classified as a student worker, except, however, that student workers employed as Resident Assistants are considered Responsible Employees.
- I. Officials with Authority to Institute Corrective Measures: The Title IX Coordinator/Deputy Title IX Coordinator, University President, University Provost and Dean of Students.
- J. Sexual Misconduct: For the purposes of this policy, "Sexual Misconduct" includes Sexual Harassment and Sexual Exploitation.
- K. Title IX Scope: Sexual Harassment occurring in any educational programs or activities of Belmont University at locations within the United States, including:
  - a. Locations, events and circumstances in which Belmont University exercises substantial control over:
    - 1. The Respondent; and
    - 2. The context in which the sexual harassment occurs; or
  - b. Buildings owned or controlled by recognized student organizations; or
  - c. On Belmont University Campuses.

Within Belmont University's educational programs and activities, this policy applies to the following individuals:

- a. University employees, including faculty, full-time staff and part-time staff.
  - b. Students
  - c. Vendors
  - d. Third-party contractors
  - e. Visitors/guests
- L. Sexual Misconduct Outside the Scope of Title IX: Any conduct which occurs outside the Title IX Scope but which meets the definition of Sexual Misconduct under this Policy, including, for example, sexual assault or sexual harassment involving students but occurring at an off-campus, non-Belmont affiliated location.
  - M. Sexual Harassment:
    - 1. Quid Pro Quo Sexual Harassment. An employee conditioning the provision of an aid, benefit or service of the University on an individual's participation in unwelcome sexual conduct.
    - 2. Hostile Environment Sexual Harassment. Unwelcome conduct determined by a Reasonable Person to be so severe, pervasive and objectively offensive that it effectively denies a person the ability to perform their job functions or denies a person equal access to the relevant education program or activity.
    - 3. Sexual Assault. An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, which includes Forcible Rape, Forcible Sodomy, Sexual Assault with an Object, Forcible Fondling, Incest and Statutory Rape. *See Appendix A for these definitions.*
    - 4. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:
      - a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

- b. Dating Violence does not include acts covered under the definition of Domestic Violence.
5. Domestic Violence: A felony or misdemeanor crime of violence, committed:
- By a current or former spouse or intimate partner of the Complainant;
  - By a person with whom the Complainant shares a child in common;
  - By a person who is cohabitating with, or who has cohabitated with, the Complainant as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the state; or
  - By any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the state.
6. Stalking: Engaging in 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.

For the purposes of this definition, "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, surveils, threatens or communicates to or about a person, or interferes with a person's property. "Substantial Emotional Distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

- N. Sexual Exploitation: Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct violations.

Sexual exploitation may include, but is not limited to, the following behavior:

- Invasion of sexual privacy;
- Prostituting another person;
- Non-consensual video or audio-taping of sexual activity;
- Non-consensual photography of a community member while nude or partially nude, or the non-consensual distribution of such a photo or video;
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly exposing another person to an STI or HIV without that person's informed consent;
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals; and
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

- Q. Supportive Measures: Available in both Title IX Scope and non-Title IX Scope cases of sexual misconduct, individualized services reasonably and equitably available to Complainants and Respondents that are non-punitive, non-disciplinary and not unreasonably burdensome to the other party, while designed to ensure equal educational/employment access, protect safety or deter sexual harassment. These Supportive/Interim Measures are available before or after the filing of a Formal Complaint, and also in the event no Formal Complaint is filed.

In all cases, Supportive Measures—both interim and permanent—can include, but are not limited to, the following:

- Interim separation from the University;
- Removal from or modification of living arrangements;
- Removal from or modification of academic courses, including extensions of deadlines or other course-related adjustments;
- Removal from or modification of co-curricular program and activities, including athletics;
- Placement of an administrative hold on a student's accounts prohibiting access to transcript request and other services, including the issuance of a diploma;
- Escort while on campus or increased monitoring of certain areas by Campus Security;
- No-Contact Orders between involved individuals;
- No-Trespass Order on Belmont's campus for an individual;
- Advisory letter. For example, a letter informing a person, organization, team, etc. that actions or behavior that created an environment conducive to violations of the Sexual Misconduct Policy should end immediately or result in a further response by the University;
- Alleging violation(s) of other University commitments or policies for a person, organization, team, etc. whose actions or behavior created an environment conducive to violations of the Sexual Misconduct Policy;
- Assistance with retaking coursework or withdrawing from a course(s) without penalty;
- Assistance locating an off-campus counselor if on-campus counseling cannot meet needs; and
- Any necessary emergency action at the discretion of the Title IX Coordinator, including interim separation from the University. Emergency removal of a Respondent from an educational program or activity may occur following an individualized safety and risk analysis by the Title IX Coordinator which determines an immediate threat to the physical health or safety of a student or other individual, arising from the allegations of sexual misconduct, justifies removal. In this case, the Respondent shall receive notice and an opportunity to challenge the decision immediately following the removal.

## Actions Following an Incident

### A. Immediate Steps

Get to a safe place, such as a Residence Assistant's or Residence Director's room, the campus security offices (located in Gabhart Student Center) or a trusted friend's room or off-campus residence. If you are off campus and injured, call 911 for immediate help. If you are on campus and injured, call Campus Security at (615) 460-6911 for immediate help. Campus Security will come to your aid and summon Metro emergency responders.

If you have been the victim of non-consensual sexual intercourse, it is strongly recommended that you obtain a rape evidence examination to preserve evidence and support your opportunity to make decisions later. If possible, take a trusted friend or relative with you to the exam to provide additional support. Belmont personnel from the Office of Student Affairs are available to accompany you to the exam. Victims of sexual assault may obtain an exam at the following locations:

- Metro General Hospital, 1818 Albion Street, Nashville, TN 37208
- Vanderbilt University Medical Center, 1313 21st Avenue South, Nashville, TN 37232
- Nashville Sexual Assault Center, 101 French Landing Drive, Nashville, TN 37228

Deciding whether or not to report a crime to police may be difficult for you. If you decide to have an exam, by procedure medical staff will alert the police of your arrival. It is up to you if you would like to file a police report or talk to a police officer. You will be asked if you would like a sexual assault counselor to assist you at the facility. This counselor is trained to help you think through your options as well as answer any questions that you might have throughout the entire process.

Until you decide whether or not to have evidence collected it is very important to remember that there are things that you should not do:

- DO NOT shower or brush your teeth, if at all possible.
- DO NOT go to the bathroom, if at all possible.
- DO NOT drink or smoke.
- DO NOT change your clothes or underwear. If you have removed this clothing, bring it with you to the hospital in a paper bag. This may preserve a lot of evidence.

## B. Reporting Sexual Misconduct to the University

### 1. Reporting to the Title IX Coordinator

Any person may report sexual misconduct, including filing a Formal Complaint, to Belmont's Title IX Coordinator or Deputy Title IX Coordinator, whether during or outside regular business hours:

**Carly G. Elliott J.D.**

*Director of Institutional Equity and  
Compliance & Title IX Coordinator*  
Office of Hope Unity & Belonging  
carly.elliott@belmont.edu  
Submit an online report at ASKBU  
Email TheHUB@belmont.edu

Belmont's Title IX Coordinator/Deputy will NOT: (1) contact a reporter's parents to discuss sexual misconduct; (2) seek sanctions against a reporter for policy violations connected to the sexual misconduct event, such as violations of the substance abuse or visitation policies; or (3) force a reporter to pursue a Formal Complaint. Regardless of whether an individual intends to pursue a Formal Complaint, the Title IX Coordinator can provide valuable resources such as referrals to counseling, University Ministries and the Nashville Sexual Assault Center, and assistance with academic, housing and other concerns.

### 2. Confidential Resources

The University's Support Advocate is a primary source serving as a confidential advisor to provide support, assistance and knowledge of resources, rights and referrals to victims of crimes such as sexual assault, domestic or dating violence, harassment and stalking. Belmont's Support Advocate is:

**Amy Hodges Hamilton**

*English Department, Professor*  
Office: 615-460-6399  
amy.hodgeshamilton@belmont.edu

Additionally, individuals may seek confidential, professional assistance in the form of counseling, advocacy and/or support related to their experience or a friend's experience of sexual misconduct via the following Belmont services:

- Counseling Services at 615.460.6856
- Health Services at 615.460.5506
- University Ministries Pastoral Care at 615.460.6419



### 3. Non-Confidential Resources

The University has designated certain employees as “Responsible Employees” for reporting violations of the sexual misconduct policy. These employees include, but are not limited to, officers in Campus Security, members of the faculty and staff members in Residence Life, the Dean of Students office, Athletics and Human Resources. Any person may report sexual misconduct to a Responsible Employee regardless of whether he or she was the one who directly experienced the sexual misconduct.

#### C. Reporting Sexual Misconduct to External Authorities

Behavior that violates the Sexual Misconduct Policy may also constitute illegal criminal acts. The University's accountability process is separate and distinct from any criminal process a person may wish to pursue. A person may pursue both simultaneously. The University will assist individuals with beginning the process of contacting the Nashville Metropolitan Police Department.

Alternatively, a person may contact the Nashville Metropolitan Police Department directly. The Sex Crimes Section is open from 7:30 a.m. to 11 p.m., Monday through Friday, though detectives are on-call 24 hours a day. To report a crime occurring locally to external authorities, please contact: Nashville Metropolitan Police Department's Sex Crimes Section at 615.862.7540.

#### D. Non-Belmont Resources

Additionally, the following is a list of non-Belmont resources who can assist individuals who have been affected by sexual assault. Belmont University does not have a contractual relationship with any of the resources listed below. They are simply listed as a courtesy to community members. Individuals should determine for themselves whether they feel the agency will meet their needs.

- 24-hour Sexual Assault Hotline at 800.879.1999
- Crisis Intervention Hotline (crisis counseling) at 615.244.7444
- National Domestic Violence Hotline at 800.799.7233
- 24-hour Suicide Prevention Lifeline at 800.273.8255
- Weaver YWCA Domestic Violence Center at 615.242.1199

### Request for Privacy

- A. A Complainant (Title IX Scope or otherwise) has the right to make a request for privacy, meaning she/he does not wish to pursue a Formal Complaint pertaining to reported Sexual Misconduct. The Title IX Coordinator will honor a request for privacy, except when there is a substantial risk to the safety or orderly operation of the community. In cases where the Title IX Coordinator determines a substantial risk exists, the Coordinator may sign a Formal Complaint (Complainant may choose not to participate). To evaluate whether the risk of such harm exists, the Title IX Coordinator will consider, among other factors, whether the following factors exist:
- i. The Respondent has a demonstrated pattern of behavior violating the Sexual Misconduct Policy;
  - ii. The Respondent has threatened further violence;
  - iii. The Respondent used a weapon;
  - iv. There is more than one Respondent alleged to have violated the Sexual Misconduct Policy during the incident; and/or
  - v. The community is at an increased risk of future acts occurring due to the unique circumstances of the incident (e.g. recurring off-campus house party, occurring during school-related travel, etc.).

- B. Complainant should be aware that their request for privacy may hinder the Title IX Coordinator's ability to take remedial actions. This is particularly true for remedial actions aimed at the Respondent.
- C. A Complainant may reopen a report in which a request for privacy has been granted. Complainant should note that the passage of time may inhibit the University's ability to effectively investigate a reopened report.

### **General Grievance Procedure**

Throughout the grievance process, whether such cases are within Title IX Scope or otherwise, Complainants and Respondents shall be treated equitably, including access to supportive measures, notices and opportunities to be heard as described in this policy and imposition of disciplinary sanctions only after completion of the grievance process. A Respondent is presumed not responsible for the alleged conduct until a formal determination is made following the grievance process. Credibility determinations may not be based on a person's status as a Complainant, Respondent or witness. For procedures specific to the Title IX Scope Sexual Misconduct Process or the Alternative Sexual Misconduct Process, see *Appendices B and C*.

### **Informal Resolution**

Informal Resolution is available in Title IX Scope cases after a Formal Complaint is filed, and in non-Title IX Scope incidents regardless of whether a Formal Complaint is filed. Informal Resolution is available at any time prior to the issuance of a decision pertaining to responsibility.

- A. Definition. "Informal resolution" refers to a process by which a formal complaint of sexual harassment is resolved without a full investigation and adjudication.
- B. Scope. Informal resolution may be used in all cases under this policy except those in which the complaint alleges employee-on-student sexual harassment.
- C. Notice. For all cases in which informal resolution is available, the parties shall be provided written notice disclosing the following:
  - i. A brief recitation of the allegations.
  - ii. The requirements of the informal resolution process.
  - iii. The right of each party to withdraw from the informal resolution process at any time prior to agreeing to a final resolution and proceed to a live hearing or other applicable process.
- D. Agreement. All parties must provide voluntary, written agreement to participate in the informal resolution process.
- E. Time for Completion. The informal resolution process shall be completed within sixty (60) days of the parties' agreement to participate, absent good cause. Upon the existence of a delay for good cause, the Title IX Coordinator shall provide the Complainant and Respondent with written notice of the delay or extension and reason for the action.

### **Sanctions or Remedies**

The Title IX Coordinator in the Alternative Sexual Misconduct Accountability Process, and the Hearing Officer(s) in the Title IX Sexual Misconduct Accountability Process, may assign sanctions or remedies. Sanctions and remedies are calculated to stop the behavior, ameliorate its effects and/or prevent the behavior from reoccurring. In all cases, sanctions for violation(s) can include, but are not limited to, the following:

- Verbal Reprimand
- Written Reprimand
- Removal of University Housing. A person removed from Belmont housing for accountability reasons will be responsible for all housing charges assessed for the semester he/she is removed and will forfeit any applicable housing deposit. Additionally, the student will be responsible for the complete payment of their current meal plan, unless he/she receives an exemption from University Housing
- Restitution

- Fines
- Reflection Essays
- Letters of Apology
- Community Service
- Required attendance in educational seminars, programs, etc.
- Drug Testing
- Loss of privileges, such as the privilege to move off-campus, membership in co-curricular organizations, etc.
- Permanent No-Contact Orders between involved individuals
- Permanent No-Trespass Order on Belmont’s campus for an individual
- Limited Probation. Limited Probation is defined as a period of time during which any further violation of the same nature within the Community Code of Conduct puts the student’s status with the University in jeopardy. If the student is found “responsible” for another violation of the same nature during the period of Limited Probation, serious consideration will be given to imposing a sanction of Institutional Probation, Suspension or Expulsion. Limited Probation could potentially affect the student’s ability to represent the University in leadership positions or on athletic teams, participation in student activities or study abroad opportunities, entrance into University residence halls or other areas of campus, or contact with another specific person(s). The University may choose to treat violations of a different nature either as separate from the limited probation or extend the limited probation to encompass that behavior. In those circumstances, the University will consider the totality of the students’ conduct record when determining an appropriate sanction
- Institutional Probation. Institutional Probation is defined as a period of time during which any further violation of the Community Code of Conduct puts the student’s status with the University in jeopardy. If the student is found “responsible” for another violation during the period of Institutional Probation, serious consideration will be given to imposing a sanction of Suspension or Expulsion. Institutional Probation could potentially affect their ability to represent the University in leadership positions or on athletic teams, participation in student activities and study abroad opportunities, entrance into University residence halls or other areas of campus, or contact with another specific person(s)
- Suspension from Belmont University. Separation from the University for a specified period, which includes loss of all tuition, fees, coursework and other privileges of an enrolled student
- Expulsion from Belmont University. Separation from the University without the possibility of readmission. A student will lose all tuition, fees, coursework and other privileges of an enrolled student
- Employee discipline, up to and including suspension from employment (with or without pay) or termination of employment

**No Retaliation**

No person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy or because the individual has made a report or complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding or hearing under this policy. Reports of retaliation may be made to the Title IX Coordinator/Deputy, or as otherwise provided for sexual misconduct reports under this policy.

**Sexual Misconduct Accountability Process – Cases Not Within Title IX Scope (“Alternative Sexual Misconduct Accountability Process”) – See Appendix B**

**Sexual Misconduct Accountability Process – Cases Within Title IX Scope (“Title IX Scope Sexual Misconduct Accountability Process”) – See Appendix C**

## Appeals

The appeal process below applies to all sexual misconduct cases, whether or not within the Title IX Scope:

- A. Decisions Subject To Appeal. Either party may appeal in writing the following decisions, within five (5) days of notification of the decision:
  - i. To dismiss a formal complaint or any allegation therein.
  - ii. A finding pertaining to responsibility.
- B. Appellate Officers. A single appellate officer shall be appointed to hear an appeal as soon as practicable after the appeal is received.
- C. Grounds for Appeal. The appeal must state one or more of the following grounds:
  - i. Procedural irregularity that affected the outcome.
  - ii. Newly discovered evidence that could affect the outcome.
  - iii. Actual conflict of interest or actual bias by an administrator or decision maker that affected the outcome.
- D. Dismissal of Appeal. If, upon review of the appeal, the appellate officer determines that the appeal fails to state proper grounds or was not timely filed, the appeal shall be dismissed and the parties notified of the outcome.
- E. Appellate Review.
  - i. A timely appeal that states proper grounds shall be provided to all parties and their advisors, with the non-appealing party given five days to provide a written response to the appellate officer.
  - ii. A party that did not initially appeal may be given an opportunity to appeal, based on the information in the initial appeal, in the same manner as the initial appeal.
- F. Appellate Standard of Review. Deference is given to the original findings of fact and decision on responsibility or substantiation and/or any outcomes; therefore, the burden is on the individual filing an appeal request to sufficiently demonstrate cause to alter the challenged decision or any outcomes. An appellate review will generally be limited to a review of the record of the hearing and supporting documents for one or more of the bases of appeal listed above, provided however, that under extraordinary circumstances the appellate officer may request additional information or clarification from the University, investigator(s), hearing officer, Complainant, Respondent or witnesses for purposes of this review.
- G. Appellate Decisions. Upon review of a timely appeal that states proper grounds, the appellate officer may choose one of the following outcomes, which shall be communicated in writing to the parties and their advisors within fifteen (15) days of the filing of the appeal:
  - i. Affirmation of the original decision of responsibility and sanctions.
  - ii. Affirmation of the original decision regarding responsibility and modifying sanctions.
  - iii. Reversing the original decision regarding responsibility and sanctions.

Appellate decisions are final and will be communicated in writing via the student's Belmont e-mail address. The student is considered to have received the appellate response upon the response being sent to the student's Belmont e-mail address. The decision shall include a statement of the materials reviewed and the reasoning for the appellate officer's decision on each of the raised grounds for appeal.
- H. Stays Pending Appeal. Any disciplinary sanctions imposed as a result of a hearing are stayed during the appellate process. Disciplinary sanctions shall be implemented as soon as practicable after appellate process has completed.
  - i. Registration or diploma holds and No Contact Orders are not considered disciplinary sanctions under this policy.

- ii. If it is determined by the appellate officer that sanctions should be immediately implemented, the student Respondent is entitled to notice and an opportunity to respond to this decision, while implementation of the sanctions proceeds. If the Respondent is an employee, the Respondent may be placed on administrative leave, in accordance with existing University policies.

Nothing in this section prevents the University from continuing to offer or implement supportive measures, including no-contact orders, during or after an appellate review process.

## APPENDIX A

### “Sexual Assault” Definitions

Sexual Assault: An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, which includes Forcible Rape, Forcible Sodomy, Sexual Assault with an Object, Forcible Fondling, Incest and Statutory Rape.

- A. Forcible Rape. Penetration or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the Complainant.
- B. Forcible Sodomy. Oral or anal sexual intercourse or attested intercourse with another person, forcibly and/or against that person’s will or not forcibly or against the person’s will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- C. Sexual Assault With An Object. To use or attempt to use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will or not forcibly or against the person’s will (nonconsensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- D. Forcible Fondling. The touching or attempted touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person’s will (nonconsensually) or not forcibly or against the person’s will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- E. Incest. Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by state law.
- F. Statutory Rape. Nonforcible sexual intercourse with a person who is under the statutory age of consent.

## APPENDIX B

### Sexual Misconduct Accountability Process—Cases Not Within Title IX Scope (“Alternative Sexual Misconduct Accountability Process”)

The Alternative Sexual Misconduct Accountability Process applies in sexual misconduct cases which are not within the Title IX Scope (see Title IX Scope in Definitions section of this policy). In addition to covering Sexual Harassment, allegations of Sexual Exploitation also are governed by the Alternative Sexual Misconduct Accountability Process.

- A. Formal Complaint. A Formal Complaint of Sexual Misconduct, which alleges sexual misconduct and requests an investigation into the allegations, may be filed by a Complainant or signed by the Title IX Coordinator. The Formal Complaint may be submitted to the Title IX Coordinator/Deputy or to any Official with Authority to Institute Corrective Measures, as defined in this policy.
- B. Completion Time. The Title IX Coordinator will endeavor to deliver outcome letters to the Complainant and Respondent, stating the determination pertaining to responsibility and any sanctions or remedies, within sixty (60) days from the date of the initial review, barring good cause at the sole discretion of the Title IX Coordinator with notice to the parties.
- C. Support Advisors. Throughout the Sexual Misconduct Accountability Process, both parties are entitled to a Support Advisor of their choosing to attend any meetings with the Title IX Coordinator, the Deputy Title IX

Coordinator, the Intake Officer or any assigned Investigator(s). An advisor is solely for support and may not speak, present information for consideration or otherwise directly influence the process. Any attempt to do so can result in the Title IX Coordinator taking action against the advisor up to and including permanent removal from the process and alleging a separate failure to comply violation against the advisor's party. The community member involved in the investigation, rather than their advisor, shall communicate directly with the University officials involved in the Title IX process. The University cannot guarantee equal advisory rights, meaning that if one party selects an attorney as their advisor, the University is not obligated to provide an attorney to any other party.

#### D. Initial Review

- i. Students. In matters involving allegations of sexual misconduct by a Belmont student, a Belmont employee if reported by a student, or a non-Belmont affiliate, the Deputy Title IX Coordinator will review the Complainant's statement and determine if the initial reported behavior falls under the purview of the Sexual Misconduct Policy. If the Deputy Title IX Officer determines that the written statement contains an allegation of sexual misconduct, the Deputy Title IX Coordinator will recommend that the matter:
  1. Continue under the Alternative Administrative Resolution Process;
  2. Continue under the Formal Sexual Misconduct Accountability Process; or
  3. Result in other action within the administrative discretion of the Title IX Coordinator.
- ii. In matters involving allegations of sexual misconduct by a Belmont employee that does not have any student connection, the Title IX Coordinator will review the initial report and determine if the initial reported behavior falls under the purview of the Sexual Misconduct Policy. If the Title IX Coordinator determines that the written statement contains an allegation of sexual misconduct, the Title IX Coordinator will refer the matter to the Department of Human Resources for further investigation and adjudication.

#### E. Alternative Administrative Resolution Process

- i. At any time following the initial review and prior to a determination of responsibility, at the request of the parties, at the recommendation of the Deputy Title IX Coordinator or at the discretion of the Title IX Coordinator, any matter other than one involving an allegation of non-consensual sexual intercourse may proceed through the Alternative Administrative Resolution Process.
- ii. The Title IX Coordinator will put all parties on notice of the commencement of an Alternative Administrative Resolution Process by email notification. Additionally, the Respondent will receive a copy of the written statement submitted by the Complainant. An email to a Belmont-provided email address or any attempt to contact non-Belmont individuals is considered notice. All parties may choose to meet with the Title IX Coordinator to discuss the process. This meeting shall be limited to procedural information only. The Title IX Coordinator will not discuss the merits of the allegations with either party.
- iii. An Alternative Administrative Resolution Determination is final. It formally ends the University's accountability process related to the alleged incident of sexual misconduct, absent new behavior. Accordingly, individuals are advised to give thoughtful consideration on what they desire the University to do in response to an alleged violation of the Sexual Misconduct Policy before requesting Alternative Administrative Resolution.
- iv. In determining whether to grant Alternative Administrative Resolution, the Title IX Coordinator will consider factors such as, but not limited to, substantial risk to the safety or orderly operation of the community, the severity of the allegations and timing in the process.
- v. Alternative Administrative Resolution allows the Title IX Coordinator to assign sanctions and remedies intended to stop, ameliorate and prevent the reoccurrence of the sexual misconduct as well as any other violation(s); and create an informational record of the incident for internal purposes and consideration, such as—but not limited to—use in future accountability proceedings, use in recommendations for study abroad, consideration in granting positions that represent the University and conferring University awards.

- vi. Alternative Administrative Resolution does not allow the Title IX Coordinator to make a determination of responsibility; suspend, expel, dismiss or place a Respondent on institutional probation status with the University; or create a University conduct record that is subject to internal and external disclosures under FERPA.
- vii. The Title IX Coordinator will strive to deliver resolution letters outlining any sanctions and remedies to the Complainant and Respondent within 60 days from the date of the initial review, barring institutional breaks or other reasonable cause at the sole discretion of the Title IX Coordinator with notice to the parties.
- viii. Neither a Complainant nor Respondent may appeal an Alternative Administrative Resolution.
- ix. An Alternative Administrative Resolution is a final action and ends University involvement. A report may not be reopened.

F. Formal Sexual Misconduct Accountability Process

- i. At the recommendation of the Deputy Title IX Coordinator's initial review or at the discretion of the Title IX Coordinator, the complaint may proceed in accordance to the Formal Sexual Misconduct Accountability Process.
- ii. The Title IX Coordinator will put all parties on notice of the commencement of a Formal Sexual Misconduct Accountability Process by email notification. An email to a Belmont-provided email address or any attempt to contact non-Belmont individuals is considered notice. All parties may choose to meet with the Title IX Coordinator to discuss the process. This meeting shall be limited to procedural information only. The Title IX Coordinator will not discuss the merits of the allegations with either party. The Respondent will learn the nature of the allegations prior to being interviewed by the investigator(s).
- iii. The Title IX Coordinator maintains the right to review whether reason to continue exists during the Formal Sexual Misconduct Accountability Process. If at any time the Title IX Coordinator determines that there is no reason to continue the matter, the Title IX Coordinator has the sole discretion to end the Formal Sexual Misconduct Accountability Process with notice to the parties.
- iv. The Title IX Coordinator will assign at least one (1) neutral investigator to the investigation. The investigators will be Belmont employees who are trained on a yearly basis to conduct these types of investigations, or other trained, qualified individuals as determined by the Title IX Coordinator.
- v. Once assigned, an Investigator will contact the parties to schedule an interview. A maximum of three attempts will be made to contact the parties using either their Belmont provided email account or the contact information provided in the initial report.
- vi. The Investigator(s) reserves the right to schedule the time, date and location at their sole discretion and may take under consideration such factors as a person's schedule, Investigator(s)' schedule, prejudice to the person of delaying the interview date, the time necessary to collect information, nature of the alleged violation(s) and other factors. The parties may participate in person (preferred), in writing, by phone or electronically.
- vii. The Investigator(s) shall not meet with the Complainant and Respondent at the same time.
- viii. The Investigator(s) should interview the parties regarding the Complainant's written statement. In addition, the Respondent will be provided a copy of the written statement submitted by the Complainant at least forty-eight (48) hours prior to their participation in any interview. An investigator shall not consider any evidence about the parties' prior sexual conduct with anyone other than each other. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.
- ix. During an investigation, parties may:
  - 1. Present information in any form (personal account, text messages, emails, etc.) regarding what happened during the alleged incident;

2. Inform the Investigator(s) of any witnesses of the alleged incident and provide their contact information; and/or
  3. Not provide information in response to questions at their choosing.
- x. In consultation with the Title IX Coordinator, the Investigator(s) will determine whether information is relevant to determining what happened during an incident. Accordingly, the Investigator(s) may redirect or not allow information to be shared.
  - xi. The Investigator may meet with individuals that have information regarding what happened during an incident as many times as he or she reasonable believes is necessary to collect information.
  - xii. All in-person interviews will be recorded.
  - xiii. The Investigator(s) will prepare a transcript for the parties and their witnesses based on the information provided at the interview(s). Once this transcript is prepared, the Investigator(s) will email the transcript to the parties and provide a deadline to approve the transcript via email acknowledgement. The parties shall inform the Investigator(s) of any discrepancies within the transcript and make any necessary amendment prior to approving the statement.
  - xiv. Witnesses are expected to cooperate with all University investigations. In some circumstances and at the discretion of the Title IX Coordinator, a witness may be compelled to participate. Investigator(s) will attempt to contact a witness no less than 3 times. If the witness does not respond after the third attempt, the Investigator(s) will determine that the witness does not want to participate in the investigation. Witnesses who elect not to participate in the investigation are prohibited from presenting any information regarding the alleged conduct for the remainder of the investigation, including the appellate stage, unless the information was not available at the time of the request.
  - xv. Prior to completing an investigation, the Investigator(s) shall email all final transcripts and evidence to the parties for their review. The parties shall have two business days to review the information and submit a final statement based on the information. If a party fails to provide comment within the two business day period, the University will proceed with the accountability process under the assumption that all information in the investigatory file is accurate. Following the two business day period of review, the Investigator(s) will submit the entire investigatory file to the Title IX Coordinator for determination of responsibility.

#### G. Determination of Responsibility

- i. The Title IX Coordinator will review the investigatory file and make a determination of responsibility regarding the alleged violation(s).
- ii. The determination of responsibility will be based upon the preponderance of the evidence; accordingly, the Title IX Coordinator will determine whether it was more likely than not an alleged violation(s) occurred.
- iii. Based on the investigatory file, the Title IX Coordinator may find the Respondent responsible for the alleged violation or not responsible for the alleged violation.
- iv. Prior to making a determination, the Title IX Coordinator may ask the Investigator(s) to clarify information, conduct further investigation through follow-up questions, give an opinion on the credibility of the information and address any other concerns relevant to their deliberations.
- v. Prior to making the determination, the Title IX Coordinator may consider granting an Alternative Administrative Resolution if requested by the Complainant or Respondent or proceeding with the Alternative Administrative Resolution Process at their discretion.
- vi. If the Respondent is found responsible, the Title IX Coordinator will assign sanctions and remedies in consultation with other appropriate campus leaders.
- vii. The Title IX Coordinator will deliver written outcome letters to both the Complainant and Respondent, which state the determination of responsibility and any sanctions or remedies, generally within 60 days from the date of the initial review, barring institutional breaks or other reasonable cause at the sole discretion of the Title IX Coordinator with notice to the parties.
- viii. Determination of Responsibility, sanctions and remedies will become part of the Respondent's University conduct record and may be shared both internally and externally in accordance with the person's FERPA rights.



## APPENDIX C

### Sexual Misconduct Accountability Process – Cases Within Title IX Scope (“Title IX Scope Sexual Misconduct Accountability Process”)

Because of significant changes necessitated by the federal government’s 2020 interpretation of Title IX of the Education Amendments of 1972, commonly known as “Title IX,” found at 34 C.F.R. §106 (The Rule), cases within the Title IX Scope will utilize the following grievance procedure:

- A. **Completion Time.** The grievance procedure, from the date the formal complaint is filed through the exhaustion of any appeals, shall be completed within 120 days, absent good cause. Good cause shall include, but not be limited to, the absence of a party, the party’s advisor or witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or local, state or national emergencies. Upon the existence of a delay for good cause, the Title IX Coordinator shall provide written notice to the Complainant and Respondent of the delay or extension and reason for the action.
- B. **Formal Complaint.** A Formal Complaint may be filed by a Complainant or signed by the Title IX Coordinator. Upon receipt of a Formal Complaint, the Title IX Coordinator shall provide the following written notice to the parties who are known:
  1. Notice of the grievance process;
  2. Notice of the allegations of sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. information;

- C. **Grounds for Mandatory Dismissal.** If, upon examination, the formal complaint does not allege facts which, if true, would meet the definition of Sexual Harassment or are not alleged to have occurred within the Title IX Scope, the formal complaint shall be dismissed from the Title IX Scope Sexual Misconduct Accountability Process and referred for analysis under the Alternative Sexual Misconduct Accountability Process.

A decision to proceed with an alternate investigative or disciplinary process after a mandatory dismissal, standing alone, does not constitute retaliation against a Respondent.

For cases in which the allegations of sexual harassment could also constitute violations of Title VII and/or University policies implementing Title VII, the University may utilize the process described in this policy to address all allegations and rely on the outcome for disciplinary purposes. The University shall give reasonable notice to the Respondent if it intends to utilize this policy to engage in fact-finding or adjudication of a Title VII matter in a particular case.

- D. **Grounds for Mandatory Dismissal.** The Title IX Coordinator may dismiss a Formal Complaint in whole or in part at any time during the investigation or hearing process where:
  1. The Complainant notifies the Title IX Office in writing that the Complainant wishes to withdraw the Formal Complaint or any allegations therein;
  2. The Respondent is no longer enrolled at or employed by the University; or
  3. Other specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or any allegation therein.

Both parties shall be notified in writing within five days of a dismissal under this section, and the reasons for the dismissal. A decision to proceed with an alternate investigative or disciplinary process after a discretionary dismissal, standing alone, does not constitute retaliation against a Respondent.

- E. **Grounds for Proceeding Contrary to a Complainant’s Request for Dismissal.** The University may decline to dismiss a Formal Complaint or any allegation therein after receiving notification from a Complainant of a wish to withdraw the complaint, in whole or in part. The University will utilize the following factors in determining whether to move forward with the complaint:

1. Whether the former Complainant is willing to appear at a live hearing as a witness;
2. The seriousness of the alleged offense (including, but not limited to, whether the allegation involved use of a weapon or included severe physical injury to the Complainant);
3. The risk that the Respondent will commit additional acts of sexual harassment, such as whether:
  - a. There have been other disclosures or reports against the Respondent;
  - b. The Respondent has a history of arrests or records from a prior school/employer indicating a history of sexual harassment or a history of violence;
  - c. The Respondent threatened further sexual harassment or violence against the Complainant or others;  
or
  - d. The offense was committed by multiple individuals.
4. Whether the report or Formal Complaint reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group or person;
5. Whether the Complainant is a minor;
6. The level of fear for safety expressed by the Complainant;
7. Whether the University possesses other means to obtain relevant evidence; or
8. The level of threat posed by the Respondent to the Complainant or to the University community at large.

Both parties shall be notified of a decision to proceed with a Formal Complaint despite a request for dismissal and the specific grounds on which the decision to proceed is based.

- 34**
- F. The Investigation Process. Prior to conducting the live hearing process, the Title IX Coordinator will oversee an investigation process:
1. Burden of Proof. Throughout the grievance process, the burden of gathering evidence sufficient to reach a determination of responsibility
  2. Investigators. The Title IX Coordinator shall assign at least one neutral investigator to the investigation.
  3. Each party shall have equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
  4. Each party may be accompanied to any meeting or proceeding by an advisor of their choice, who may be, but is not required to be, an attorney. During the investigation process, the advisor may inspect and review evidence, but is to be a silent advisor and may not speak, present information for consideration or otherwise directly influence the process. Any attempt to do so can result in the Title IX Coordinator taking action against the advisor up to and including permanent removal from the process and alleging a separate failure to comply violation against the advisor's party. The community member involved in the investigation, rather than their advisor, shall communicate directly with the University officials involved in the investigation process. The University cannot guarantee equal advisory rights, meaning that if one party selects an attorney as their advisor, the University is not obligated to provide an attorney to any other party.
  5. Following receipt of the Notice of Allegations, each party shall be provided with written notice of the date, time, location, participants and purpose of all hearings, investigative interviews, or other meetings (not requested by the party), at least five (5) days prior.
  6. The investigators may meet with the parties and witnesses as many times as necessary to perform a complete investigation. Interviews will be recorded.
  7. Each party shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, so that each

party can meaningfully respond to the evidence prior to the conclusion of the investigation. Prior to the completion of the investigative report, the parties and their advisors, if any, will receive the evidence subject to inspection and review in an electronic format or hard copy. The parties will have ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report.

8. The investigator(s) shall create an investigative report fairly summarizing the relevant evidence. At least ten (10) days prior to a hearing, the parties and their advisors, if any, shall receive the investigative report in an electronic format or a hard copy, for their review and written response.
- G. The Live Hearing Process. Prior to conducting the live hearing process, the Title IX Coordinator will oversee an investigation process:
1. Application. The live hearing process shall be used to resolve Formal Complaints at the University level that are not resolved via the informal resolution process.
  2. Standard of Proof. All hearings held pursuant to this policy shall utilize the preponderance of evidence standard when determining responsibility for violations or deciding whether allegations are substantiated.
  3. Administration. Live hearings shall be held before up to three (3) hearing officers, one of whom may be designated the Chief Hearing Officer. In cases where there is more than one hearing officer, decisions with regard to responsibility and any sanction(s) must be unanimous.
  4. Virtual Participation. At the discretion of the hearing officer(s), or upon request of either party, virtual participation via videoconference or other technology of parties, witnesses, advisors or others is permitted, provided participants can simultaneously see and hear each other and confidentiality of the proceedings is not compromised.
  5. Questioning of the Parties and Witnesses.
    - a. Relevance. Only relevant questions may be asked of a party or witness. Relevancy determinations shall be made by the hearing officer, prior to the question being answered. The hearing officer shall give a reason for the decision as to relevance at the time the decision is made.
      - i. The hearing officer must provide an explanation to exclude a question as not relevant.
      - ii. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant and shall be excluded, unless such questions are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. A party's medical records are not admissible without the voluntary written consent of the party. Evidence protected by a legally-recognized privilege is not admissible unless the holder of the privilege has voluntarily waived the privilege in writing.
    - b. Testimony of the Complainant and Respondent. Each party is entitled to present their own testimony.
    - c. Examination of Witnesses. The party's advisor of choice shall conduct examination of the other party and any witnesses. The parties are not permitted to examine each other. The hearing officer(s) are permitted to ask questions of any party/witness.
      - i. University-Provided Advisors. If a party does not have an advisor present at the live hearing, the University will provide, upon request and without fee or charge, an advisor of the University's choice, to conduct examination on behalf of that party.
      - ii. Additional Examination. The parties shall be allowed reasonable opportunity to follow up on examination of parties and witnesses via additional examination, to be conducted in the same manner as the initial examination. A party's advisor may conduct additional examination of the party the advisor is serving.

6. Determination of Responsibility or Substantiation of Allegations. The determination of responsibility or whether allegations are substantiated shall be in writing, provided by the hearing officer(s) simultaneously to the parties, and include the following elements:
  - a. A summary of the allegations potentially constituting sexual harassment.
  - b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including notifications to parties, interviews, gathering of evidence and hearings held.
  - c. Findings of fact.
  - d. Conclusions regarding the application of the relevant policy or regulation to the facts.
  - e. As to each allegation, a statement of and rationale for, the determination of responsibility or substantiation.
  - f. A description of any disciplinary sanctions imposed upon the Respondent.
  - g. A description of any remedies designed to restore or preserve equal access that will be provided to the Complainant.
  - h. A statement of procedures and bases for appeal of the decision.
  
7. Records. The University shall create and maintain an audio or audiovisual recording of the hearing, which shall constitute the official record of the proceedings. The parties shall be permitted to inspect and review the recording, subject to reasonable conditions to ensure confidentiality. For each investigation, the following records will be maintained by the University for seven (7) years: determination regarding responsibility; audio/audiovisual recording or transcript thereof; disciplinary sanctions imposed on the Respondent; remedies provided to the Complainant; any appeal and the result therefrom; any informal resolution and the result therefrom.

#### **Rights and Responsibilities Relative to Relationships between University Employees and Students:**

Belmont's faculty and staff have the responsibility to maintain congenial relationships of a professional nature with students. Such relationships often enhance the workplace efficiency and educational processes of the University. All University employees are prohibited from having relationships of a romantic nature with any person who is enrolled as a student at Belmont University unless the employee is married to the student and the marriage took place prior to the employment or enrollment of the parties. Faculty and staff are prohibited, in the absence of prior approval from their dean or supervisor, from teaching, supervising or having academic or co-curricular responsibilities over a spouse or child. This policy also applies to third parties who are not Belmont employees but who supervise or oversee students' curricular or co-curricular experiences. Belmont employees are further prohibited from having relationships of a romantic nature with another Belmont employee over whom they have direct or indirect supervisory authority. Violations of this policy can result in disciplinary action up to and including termination of employment.

Romantic relations between faculty members and students or supervisors and those who report to them do not necessarily involve sexual harassment. However, the power faculty members exercise in evaluating students' work, awarding grades, providing recommendations, etc. will generally constrain a student's actual freedom to choose whether to enter into a romantic relationship with a faculty member. Similarly, the power supervisors exercise over the terms and conditions of their subordinates' employment will constrain the employee's freedom of choice.

Where such power differentials exist, it may be exceedingly difficult to defend against a charge of sexual harassment on the grounds that the relationship was consensual. In internal proceedings, the University generally will be unsympathetic to a defense based on consent when the facts establish that the accused had the power to affect the Complainant's academic or employment status or future prospects.

Even genuinely consensual relationships between faculty or staff and students and between supervisors and those who report to them may be problematic. For example, they may result in favoritism or perceptions of favoritism that adversely affect the learning or work environment. Consensual relationships involving a power differential, therefore, may violate University policy and equal opportunity law. All University employees are expected to exercise good judgment and avoid such relationships. Failure to exercise good judgment may result in disciplinary action such as formal reprimand or suspension; or depending on the gravity and nature of the incident, it may be cause for discharge.

Likewise, a power differential must be considered for any interactions between members of the faculty and staff and Belmont students that would constitute immoral conduct on the part of the faculty or staff member, that would represent a professional conflict of interest for the employee (e.g., dating a student who is in one's class; dating a person whom one supervises) or conduct that would be contrary to Belmont's mission, vision and values (e.g., inappropriate off campus fraternization, underage drinking or any drug and alcohol abuse).

### Filing a Report

It is University policy to respond promptly and sensitively to all complaints of harassment. Once the University is made aware of a possible situation of harassment, the University responds. The University will strive to maintain the confidentiality of all parties to the fullest extent possible while meeting this legal mandate to act. The University's harassment response system is designed to offer a number of choices and access points for dealing with the problem.

Any person who engages in harassment will be subject to disciplinary action ranging from a warning to discharge, if appropriate.

### I. Steps You Can Take on Your Own

All of the following are appropriate ways to confront sexual harassment directly:

- A. Speak up at the time and say "NO" to the harasser. Be direct and firmly tell the harasser to stop. Clearly communicate your disapproval of behavior that makes you uncomfortable and that you consider it to be harassing there is no need to apologize or smile. Whether or not you confront harassing behavior immediately, you can still take actions and the behavior can still be judged harassing.
- B. Write a letter to the harasser, particularly if speaking up is uncomfortable or unsuccessful. First, describe in plain terms the behavior you found objectionable, then describe your feelings in response to it. State clearly that you want the behavior to stop. Send the letter by registered, return receipt mail and keep a dated copy of the letter for yourself. Also, tell someone you trust about the letter.
- C. Keep records, regardless of whether you have decided to take other action.
- D. Document all incidents and conversations that involve sexual harassment, noting date, time, place, witnesses and what was said and done.
- E. Get help at any point. If the harassment does not stop, or if you would like advice on deciding how to deal with the harasser, follow the procedures outlined below.

### II. Consultation

Many reports of harassment can be handled informally. If you believe you have been the victim of harassment, report it to your department chair, dean (including Dean of Students), director, supervisor or team leader. The University requires that anyone with supervisory responsibility who receives a report of conduct that, if proven, would constitute harassment, to disclose the report to Human Resources (for employees) or the Director of Institutional Equity and Compliance (for students). An investigation into the situation will begin, including initiating effective action against any harassment and follow up to ensure harassment has stopped. The Director of Institutional Equity and Compliance or Director of Human Resources will discuss and seek agreement with the Complainant on remedial action to be taken.

### III. Formal Complaint

Members of the University committee may file a formal written complaint that alleges a violation of the University's policy against harassment. If the complaint involves only University employees, it should be sent to the Director of Human Resources. Any complaints involving students should be directed to the Director of Institutional Equity and Compliance. Upon receipt of a formal written complaint, the Director of Institutional Equity and Compliance or Director of Human Resources will designate a person to begin the investigation of the charge(s). An investigation shall include an interview with the person filing the complaint, the person(s) accused of violating the anti-harassment policies and any person designated by either of the principle parties as witnesses to the incident in question. The investigation shall be completed within 30 days of the receipt of the complaint. The matter shall then be presented to the Director of Institutional Equity and Compliance or Director of Human Resources, depending on which channel the complaint was investigated, for a final decision. Either the Director of Institutional Equity and Compliance or the Director of Human Resources may choose to interview persons involved, direct further investigation or hold a formal hearing on the matter. If formal hearings are ordered, no party shall be allowed to be represented by legal counsel. This process shall be completed and a final decision communicated on the merits of the complaint within 60 days of receipt of the complaint by the University. The decision shall be final. Throughout this process the University will strive to keep the identities of the complaining party and accused confidential.

### HAZING POLICY

Belmont University is committed to the values of individual worth, personal integrity, critical thinking, self control, community responsibility and providing an atmosphere that nurtures the individual's self-esteem and growth. Hazing or any other activity that is an affront to the dignity and self-respect of any person is strictly prohibited by the University. Additionally, hazing is prohibited by law in the state of Tennessee (TN Code 49-7-123). Any individual or organization found in violation of the anti-hazing policy is subject to University disciplinary action and/or criminal prosecution. Any retaliation against any person who reports, is a witness to, is involved with or cooperates with the adjudication of hazing is strictly prohibited.

The University prohibits hazing by individuals or groups and defines it as follows:

Hazing is any reckless or intentional act, occurring on or off campus, that produces physical, mental or emotional pain, discomfort, humiliation, embarrassment or ridicule directed toward other students or groups (regardless of their willingness to participate), that is required or expected for affiliation, or continued affiliation and which is not related to the mission of the team, group or organization. This includes any activity, whether it is presented as optional or required, that places individuals in a position of servitude as a condition of affiliation. Prohibited acts of hazing include but are not limited to those covered under Tennessee state law. All students are subject to federal, state and local laws and rules and regulations of Belmont University.

A person or organization violates the Anti-Hazing policy if they:

- Engage in hazing;
- Solicit, encourage, direct, aid or attempt to aid another in engaging in hazing;
- Intentionally, knowingly or recklessly permit hazing to occur; or
- Have firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution or firsthand knowledge that a specific hazing incident has occurred, and knowingly fail to report said knowledge in writing to the Dean of Students or other appropriate officials of the institution.

Though it would be impossible to list all behavior that may be considered hazing, the following are some examples of hazing and are prohibited:

- Any physical act of violence expected of, or inflicted upon another, including marking or branding;
- Any physical activity expected of, or inflicted upon, another, including calisthenics; sleep deprivation or excessive fatigue as the result of an activity, lines-ups and berating;

- Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects the student to an unreasonable risk of harm or which adversely effects the mental or physical health or safety of the student;
- Pressure or coercion of another to consume any legal or illegal substance;
- Making available unlawful substances;
- Completing tasks in order to obtains signatures;
- Required carrying of or possessing of a specific item or items;
- Servitude (expecting a new member to do the tasks of an experienced member);
- Scavenger or treasure hunts;
- Forced exposure to the weather;
- Assignment of illegal and unlawful activities;
- Kidnapping, forced road trips and abandonment;
- Costuming and alteration of appearance;
- Coerced lewd conduct; degrading games, activities or public stunts; and
- Interference with academic pursuits

If an organization has any questions about hazing or would like education and training regarding the anti-hazing policy please contact the Office of Student Engagement and Leadership Development.

### **PHYSICAL CONFLICT POLICY**

Students respect the dignity of others, which extends to another's right to be free from the harmful, offensive or otherwise undesired touching that may occur during a physical conflict. Physical conflicts include actual contact between individuals as well as threatening physical harm, regardless of whether physical contact occurs or not. A student's intent to initiate physical contact is not necessary for a violation to occur; however, intent will escalate the University's response.







## PERSONAL INTEGRITY

### ACADEMIC HONOR PLEDGE

The Belmont University community is committed to personal integrity in the pursuit of knowledge. This requires intellectual honesty and transparency in the scholarship of students. To that end, the university has adopted the following Honor Pledge for both academic work associated with a particular class (Coursework) and co-curricular requirements for graduation such as WELL Core, internships and the like (Co-Curricular Requirements). Each student pledges to uphold the Honor Pledge as a condition of membership in the community:

### HONOR PLEDGE

*A Bruin does not lie, cheat, or steal and does not tolerate those acts.*

### EXPECTATIONS FOR STUDENTS IN REGARDS TO THE HONOR PLEDGE

In affirmation of the Honor Pledge, students may not engage in the following activities:

- A. Cheating: Using unauthorized notes, aids or information on an examination; altering a graded work prior to its return to a faculty member, allowing another person to do one's own work and submitting it for grading.
- B. Fabrication: Inventing or falsifying information, data, or citation; presenting data gathered outside of acceptable professorial guidelines; failing to provide an accurate account of how information, data, or citations were gathered; altering documents affecting academic records; forging signatures or authorizing false information on an official academic document, grade, letter, form, ID card or any other University document.
- C. Plagiarism: Submitting material that in part or whole is not one's own work; submitting one's own work without properly attributing the correct sources of its content.
- D. Multiple Submissions: Submitting identical papers or course work for credit in more than one course without prior permission of the course instructor.
- E. Obtaining Unfair Advantage: Gaining or providing access to examination materials prior to the time authorized by a course instructor; stealing, defacing or destroying library or research materials which can deprive others of their use; unauthorized collaboration on an academic assignment; retaining, possessing or circulating previously used examination materials without the course instructor's permission; obstructing or interfering with another student's academic work; or engaging in any activity designed to obtain an unfair advantage over another student in Coursework or Co-Curricular Requirements.
- F. Aiding and Abetting: Providing material, information or other assistance that violates the above expectations; providing false information in connection with any inquiry regarding academic integrity.
- G. Unauthorized Access: Viewing or altering in any way computer records, modifying computer programs or systems, releasing or distributing information gathered via unauthorized access or in any way interfering with the use or availability of computer systems/information.
- H. Any other form of fraud or dishonesty in Coursework or Co-Curricular Requirements for graduation.

### HONOR PLEDGE AUTHORITY

The faculty shares, with other entities of the university, jurisdiction for certain aspects of institutional life. One such area of shared jurisdiction is that of the policies and procedures of the Honor System. Faculty Senate (and its Academic Misconduct Committee) works collaboratively with the Provost to determine these policies and procedures, with the Dean of Students' Office (and its Office of Community

Accountability) providing a consultancy role. Course professors, the Academic Misconduct Committee (AMC), the Office of Community Accountability (OCA) and the Provost are responsible for implementing the disciplinary process for students. Primary authority for adjudicating academic misconduct rests with the faculty, beginning with course professors and overseen by the AMC.

For Honor Pledge violations occurring in an academic course, a professor may adjudicate the incident themselves. Alternatively, the professor may refer the violation to AMC who will arrange an AMC panel adjudication. The professor may route a violation at their discretion. There are only minor differences between adjudications conducted by AMC versus adjudications conducted by a professor. There is not an assumption of bias if a professor chooses to personally adjudicate a violation.

For Honor Pledge violations occurring in Co-Curricular Requirements, the same process will be followed with the BELL Core Director considered the instructor of record. To initiate this process, the instructor on record will email the [amc@belmont.edu](mailto:amc@belmont.edu).

Any member of the university with knowledge of a violation should contact the course professor in which the violation occurred.

## **HONOR PLEDGE SCOPE**

The Honor Pledge applies to any Coursework and Co-Curricular Requirements completed by a student while enrolled at Belmont University. If a violation is discovered when a student is no longer enrolled at Belmont—whether due to graduation, enrollment at another institution, or cessation of college studies—the former student must still participate in the adjudication process so long as the violation is discovered within 30 days of when the student’s enrollment ended. If a former student fails to participate when required to do so according to this section, the university reserves the right to take action up to and including the refusal to release transcripts or the withdrawal of an awarded degree. The Provost or their designee makes the sole determination regarding what constitutes Coursework or Co-Curricular Requirements. Behavior that may not fall under the Honor Pledge may still be addressed by the University under its adjudication process for all other types of violations.

## **STANDARD FOR DETERMINING WHETHER A STUDENT IS RESPONSIBLE FOR A VIOLATION**

Belmont University uses preponderance of the evidence standard to decide if a student is responsible or not for a violation. As such, a course professor or other inquiry officer(s) should weigh whether it is more likely than not a student committed a violation based on the available information. Put another way, a course professor or other inquiry officer(s) need only be 51% sure that a violation occurred in order to find a student responsible under this policy.

## **ADJUDICATION OF HONOR VIOLATIONS**

There are three pathways by which honor violations may be adjudicated: Conscientious Retraction, Faculty Adjudication, or Referral to the AMC. In a case in which a student willingly comes forward and admits to wrongdoing before becoming aware he or she is suspected of wrongdoing, the faculty should employ the Conscientious Retraction pathway. In cases in which an Honor Code violation is suspected by a faculty member, the faculty member may choose to either adjudicate the incident themselves or he or she may refer the violation to AMC who will arrange an AMC panel hearing.

### **A. CONSCIENTIOUS RETRACTION**

If, before a student is aware of the faculty member’s investigation, the student wishes to repent of any misconduct, they may contact the faculty member to make a conscientious retraction. The student will make amends for their misconduct, and the faculty member will record this outcome with the Academic Misconduct Committee by submitting the Conscientious Retraction Form. While appropriate Amends will be required, no additional Sanctions will be imposed, nor will the student be placed on Honor Code Probation. In this way, students incur lesser penalties if they admit to wrongdoing before they are suspected.

## B. FACULTY ADJUDICATION

Based on the Honor Pledge, the University has promulgated the following procedures for a course professor to adjudicate alleged Honor Pledge violation(s). The goal of these procedures is to arrive at resolution of a violation in an efficient amount of time while also ensuring the ultimate decision is not unreasonable. For the purposes of this section, a course professor includes—but is not limited to—professors, lecturers, adjuncts and any other person responsible for curricular education.

### Notice

1. The course professor must notify the student of the suspected Honor Code violation within a reasonable time.
  - a. Generally, the University considers up to two weeks from the date the course professor learned of the potential violation to be a reasonable time. However, circumstances—such as investigation, consultation with department chair/head, class meeting frequency, etc.—may dictate a longer time is necessary.
  - b. Students are considered to have been notified upon a course professor emailing the student's Belmont-provided email account.
  - c. Professor should specify the preferred method for a response.

### Response

1. The student has two (2) full business days from receipt of the notice to provide a response (Response).
  - a. If a student fails to provide a Response within 2 business days, the student's right to a Response is waived and the course professor may move forward with adjudication in the student's absence. An extension of the Response window is solely at the discretion of the course professor.
  - b. While an in-person response is encouraged, the Response may be conducted by phone, via written statement, or any other method the course professor wishes to use in his or her sole decision.
2. The Student Response includes:
  - a. The requirement to accept or deny responsibility.
    - i. If, after the faculty member has explained the misconduct and presented the evidence, but before the subsequent discussion and faculty deliberation, the student decides to admit to their misconduct, they may accept responsibility for it. In this case, unless the behavior is extraordinarily egregious, the penalty should not exceed a grade of "F" in the course, and should be in addition to the student making amends. If the behavior is extraordinarily egregious, the faculty member may recommend to the AMC that it consider whether the case is so egregious as to warrant treatment as a repeated infraction.
    - ii. If the student does not accept responsibility but the professor finds the preponderance of the evidence (greater than 50%) supports the conclusion that the student engaged in academic misconduct, the student is held responsible for academic misconduct, and the professor will assess a penalty commensurate with the extent and degree of the misconduct. Unless the behavior is extraordinarily egregious, the penalty should not exceed a grade of "FX" in the course, and should be in addition to the student making amends. If the behavior is extraordinarily egregious, the professor may refer the issue to the AMC to consider whether the case is so egregious as to warrant treatment as a repeated infraction.
  - b. The option to provide information regarding their account of the incident either in written or oral form to the course professor. The course professor and student should think of the Response as simply a time for the student to share his or her explanation of what happened for consideration before any decisions about responsibility or sanctions are made.
3. The University extends the following rights to students during the Response:
  - a. The right to review the material, if any, that led to the alleged violation.

- b. The right not to answer any or all questions; however, a decision will be made regardless of participation. If a student withholds information during the inquiry (available at the time of the inquiry), they cannot file an appeal based upon new information, and a decision will be made based on the information gathered at the inquiry.
4. The right to have the Response conducted in a private setting.
5. The right to submit to the course professor supplemental information (Supplemental Information) for consideration. Supplemental Information should be presented at the time of the Response if possible. When not possible, then:
  - a. The student must inform the course professor during the Response that Supplemental Information will be submitted;
  - b. Supplemental Information must be submitted within 2 business days of the Response;
  - c. Supplemental Information is written or other documentary information which supports a student's Response and includes, but is not limited to, witness statements, class notes, or resources used; and
  - d. In congruence with University adjudication procedures, the student's overall character, mitigating circumstances and other information not related to whether a violation occurred is irrelevant to a course professor's findings of responsibility and sanctions. Therefore such information is not considered Supplemental Information and should be ignored by the course professor if submitted.

### **Outcome**

1. After the student's Response and a review of any Supplemental Information, the course professor must file documentation of the Outcome through the Faculty Adjudication Form.
2. The Faculty Adjudication will include the following Outcomes:
  - a. Determination of responsibility based on a preponderance of the evidence if the student denied responsibility;
  - b. Amends, if the student is responsible based on their own admission or the course professor's determination; and
  - c. Sanctions, if the student is responsible based on their own admission or the course professor's determination.
3. The OCA will provide notice of the outcome to the student.
  - a. Generally, the University considers up to 2 business days to be reasonable. However, circumstances may dictate a longer time is necessary.
  - b. Students are considered to have been presented notice of the outcome upon the OCA emailing the student's Belmont-provided email account.

### **Completion**

1. Absent an appeal altering the initial decision, this completes adjudication by a course professor.
2. The course professor should submit the online Faculty Adjudication Form to the Office of Community Accountability for University record keeping purposes. The course professor shall retain all original materials related to the decision.
3. If grade alteration is a sanction, the course professor should update the appropriate grade records or work with the Registrar if a grade was previously assigned.

## **C. REFERRAL TO THE ACADEMIC MISCONDUCT COMMITTEE**

Based on the Honor Pledge, the University has promulgated the following procedures for Academic Misconduct Committee (AMC) adjudications of an alleged Honor Pledge violation(s). The goal of these procedures is to arrive at resolution of a violation in an efficient amount of time while also ensuring the ultimate decision is not unreasonable.

## Composition of the AMC and AMC Panels

The AMC is a Standing Committee of the Faculty Senate. It is composed of one faculty member from each college, and three student members. The College of Law maintains of necessity its own and separate academic misconduct processes, and therefore does not elect a member, but is welcome to send an observer. College of Law faculty should nonetheless report outcomes through the university system, to ensure an accurate report of misconduct on campus.

Each fall, the chair will call for faculty to nominate students to serve on the committee. Nominees will be invited to apply, and the committee will choose three students from among the resulting applicant pool to serve a one-year term on the committee. The committee may invite students finishing their term to complete a second one-year term, but no student shall serve more than two consecutive terms. During the summer session, faculty are expected to adjudicate their cases. A student will have the right to appeal. However, appeals that are submitted to AMC during this period will be followed up at the beginning of the Fall semester.

When an alleged honor violation is referred to the Academic Misconduct Committee for adjudication, a panel will be assembled. The panel consists of two faculty members, one of whom is from the college of the faculty member who designates the instance to the panel, along with one of the student members of the committee. This triumvirate will then hear and adjudicate the instance in place of the faculty member. They may require the faculty member to provide evidence or testimony at the hearing. Having turned the matter over to the panel, the faculty member accepts their judgment and has no recourse or ability to appeal.

### Notice

1. The party alleging the violation must complete a Referral to the AMC Form.
2. On the Referral to the AMC Form, the party alleging the violation must:
  - a. Mark the Honor Pledge violation being alleged; and
  - b. Write a brief account of what led to the allegation.
  - c. Supplemental materials may be submitted, but are not required.
3. The OCA will provide notice of the referral to the AMC to the student and to the AMC Chair within a reasonable time.
  - a. Generally, the University considers up to two weeks from the date the professor or Administrator learned of the potential violation to be a reasonable time. However, circumstances—such as investigation, consultation with department chair/head, class meeting frequency, etc.—may dictate a longer time is necessary.
  - b. Students are considered to have been notified upon the OCA emailing notice to the student's Belmont-provided email account.
4. The OCA should then direct the student to contact AMC for resolution of the alleged violation.

### Pre-Inquiry (Information Session)

1. Once notice has been provided, a student shall contact the AMC within the two (2) business days following receipt of notice. At this time, the Chair of the AMC will convene a Panel of two faculty members, one of whom is from the college of the faculty member who designates the instance to the panel, along with one of the student members of the committee.
2. A student's failure or refusal to contact the AMC Panel within the allotted two (2) business days will be treated as the student's acceptance of responsibility for all alleged violations, will waive any privilege to an Information Session, and will result in an inquiry being scheduled and conducted in the student's absence.
3. During the Information Session the student's inquiry will be scheduled. The AMC Panel reserves the right to schedule an inquiry time, date and location at its sole discretion and may take under consideration such factors as the schedules of the parties involved, prejudice to the student of delaying the inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.

4. During the Information Session, the student should indicate whether he or she accepts or denies responsibility for an alleged violation(s) prior to their inquiry. Extension of the allotted time to make this decision is at the sole discretion of the AMC Panel.
5. During the Information Session, a student may choose to view currently available information related to alleged violation, receive instructions regarding the adjudication process and review any existing violation definition.
6. While an in-person Information Session is encouraged, it may be conducted by phone, via written statement, or any other method the AMC Panel wishes to use in its sole discretion.

### **Inquiry**

1. If a student attempts to cancel a scheduled inquiry prior to its commencement, he or she must provide documentation to AMC supporting a valid reason. Granting a postponement is at the sole discretion of AMC.
2. If a student fails to appear at a scheduled inquiry, he or she waives the privilege to participate in the inquiry. The student will be accountable for the outcome of the inquiry.
3. If AMC needs to reschedule the inquiry prior to its commencement, it will make a reasonable effort to notify the student of the new time, date and location of the inquiry. AMC will set a new inquiry time, date and location at its sole discretion and may take under consideration such factors as the schedules of the parties involved, prejudice to the student of delaying the inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.
4. During the inquiry, the student as well as the party alleging the violation may present information for the purpose of clarifying details regarding what occurred during the incident (Information). Information may only address facts related to the incident such as who, what, when, where and—when intent is appropriate to the finding of responsibility or sanctions—why. The AMC Panel makes judgments on what behavior has occurred and does not make judgments about the worth of the person; accordingly, information related to a person's character is not relevant. Information can be presented in various forms, such as documentation, witness statements, or personal accounts. During an inquiry, the AMC panel members in charge determines whether information is relevant to the proceeding and will direct the student based upon that determination.
  - a. The student and the party alleging the violation may also request permission to bring an individual(s) who has Information related to the alleged violation to the inquiry. The witness request form must be submitted to AMC one (1) working day prior to the inquiry. The committee will decline to allow the participation of the witnesses whose information relates to character or is solely irrelevant
  - b. Both the student and the party alleging the violation will have the opportunity to question any individual(s) who appears in person to provide Information.
5. At the conclusion of the inquiry, the AMC Panel will deliberate to determine responsibility if a student has denied responsibility for an alleged violation. A preponderance of the evidence standard will be used to make decisions regarding responsibility.
6. A student's prior disciplinary record will be considered only during the sanctioning phase of the adjudication and will not be considered during the deliberation of responsibility unless introduced by the student during the inquiry.
7. If a student is responsible for a violation(s)—either by the student's own admission or based on the preponderance of the evidence—the AMC Panel will assign Amends and Sanctions.
  - a. If, after the panel has explained the misconduct and presented the evidence, but before the subsequent discussion panel deliberation, the student decides to admit to their misconduct, they may accept responsibility for it. In this case, unless the behavior was extraordinarily egregious, the penalty should not exceed a grade of "F" in the course, and should be in addition to the student making amends. If the behavior is extraordinarily egregious, the Panel consider whether the case is so egregious as to warrant treatment as a repeated infraction.

- b. If the student does not accept responsibility but the panel finds the preponderance of the evidence (greater than 50%) supports the conclusion that the student engaged in academic misconduct, the student is held responsible for academic misconduct, and the Panel will assess a penalty commensurate with the extent and degree of the misconduct. Unless the behavior is extraordinarily egregious, the penalty should not exceed a grade of "FX" in the course, and should be in addition to the student making amends. If the behavior is extraordinarily egregious, the Panel may consider whether the case is so egregious as to warrant treatment as a repeated infraction.
8. Decision(s) made by the AMC Panel will be based on a simple majority vote.
  9. The University extends these additional rights to students during the inquiry:
    - a. The right not to answer any or all questions; however, a decision will be made regardless of participation. If a student withholds information during the inquiry (available at the time of the inquiry), they cannot file an appeal based upon new information, and a decision will be made based on the information gathered at the inquiry.
    - b. The right to have the inquiry conducted in a private setting.
    - c. The right to an advisor. An advisor is defined as a member of the university community (i.e. faculty, staff or peer) that accompanies a student to the inquiry as an emotional support to the student. The advisor may not speak or otherwise participate in an inquiry. No representation by an attorney is permitted regardless of community membership.

### **Outcome**

Decisions regarding responsibility and any sanctions and amends may be delivered to the student and the party alleging the violation in person or electronically via Belmont provided e-mail addresses. The delivery method is at the sole discretion of AMC. When delivery is not in person, the student and professor is considered to have received the outcome letter upon the letter being sent to the student's Belmont-provided email account.

### **Completion**

1. Absent an appeal altering the initial decision, this completes adjudication by the AMC Panel.
2. AMC will forward copies of all records of the adjudication to the OCA, who will maintain all records.
3. If grade alteration is a sanction, the course professor will be informed in order to update the appropriate grade records or AMC may work with the Registrar if a grade was previously assigned.

## **PROCEDURE FOR APPEALING AN HONOR PLEDGE ADJUDICATION OUTCOME**

A student has the right to request an appeal of a finding of responsibility or sanctions by a course professor or the AMC.

1. All appeal requests are reviewed by the AMC.
  - a. An appeal request should be completed and submitted within two business days from the date the outcome is received. The appeal request form is available from AMC.
  - b. The request should state the reason(s) for appeal and the supporting facts. In order for an appeal to be considered valid, the request and supporting facts must be directly connected to one or more of the reason(s) for appeal.
  - c. The AMC will review the appeal request and any accompanying information and will decide whether or not to grant an appellate review in their sole discretion.
  - d. The decision of the AMC will be communicated to appropriate parties electronically via Belmont provided via e-mail addresses or in person. When delivery is not in person, the party is considered to have received the outcome upon it being sent to the appropriate Belmont e-mail address.
  - e. If the AMC denies an appeal request, then the original decisions regarding responsibility and/or sanctions will stand. If the AMC approves an appeal request, refer to paragraph 3 of this subsection for guidance.

2. Appeal considerations are limited to
  - a. New information that could have affected the outcome;
  - b. Procedural error that could have affected the outcome;
  - c. Significant evidence of bias that could have affected the outcome
  - d. If an appeal request is granted, the entire AMC will conduct a review within 14 business days during fall and spring semester. During the summer session, appeals from faculty decisions will be heard within the first 14 business days in August.
3. The student bears the burden to clearly state in the initial appeal request and its supporting materials that an error has occurred during the adjudication process.
  - a. The review is not a re-inquiry. The student is not required to be in attendance for the appellate review and will not be included in the review. The student may request to meet with an AMC representative. Requests are granted at the discretion of the AMC.
  - b. The AMC has the option of:
    - i. affirming the original decision(s) regarding responsibility and sanctions;
    - ii. affirming the original decision(s) regarding responsibility and modifying the sanctions; or
    - iii. reversing the original decision regarding responsibility.
  - c. The outcome of the AMC's review will be communicated to appropriate parties electronically via Belmont provided e-mail addresses or in person. When delivery is not in person, the party is considered to have received the outcome letter upon the review being sent via e-mail.

The outcome of the AMC's review is final unless the student received a sanction of suspension, expulsion or FX. Suspensions, expulsions and FXs are subject to additional review by the Provost.

### **PROCEDURE FOR SUSPENSIONS, EXPULSIONS AND FX SANCTIONS**

If a course professor assigns a FX, or if the AMC assigns a FX, Suspension, or Expulsion, it is subject to automatic review by the Provost.

1. The Provost's Review will consider whether the initial decision was unreasonable.
2. The record compiled by AMC should be forwarded for the Provost's Review.
3. The Provost's Review may alter the initial decision(s) regarding responsibility or sanctions in the Provost's sole discretion.
4. The outcome of the Provost's Review will be communicated to appropriate parties electronically via Belmont provided e-mail addresses or in person. When delivery is not in person, the party is considered to have received the outcome letter upon the review being sent via e-mail.
5. Suspensions, expulsions, or FX sanctions will not take effect until the Provost Review is complete, except in the case of an emergency action.

### **SANCTIONING FOR HONOR PLEDGE VIOLATIONS**

The following sanctions are ordered from lowest to strongest response. Multiple sanctions may be applied, but note that some sort of grade alteration is almost always used in sanctioning as a response to an Honor Pledge violation. It is the sole authority of the inquiry officer(s) to determine what sanctions are properly educational, punitive and reparative.

No Sanctions—only Amends—should be imposed in the case of a Conscientious Retraction.

#### **Sanctions Assignable by Course Professors**

1. Reflective essay or other educational assignment
2. Reduction of the coursework's grade by a percentage point or letter.



3. Failure of the coursework
4. Reduction of the course grade by a percentage point or letter.
5. Failure for the course
6. FX for the course, which is a failure for the course and notes on the transcript that the reason for the failure was due to an Honor Pledge violation
  - a. This is not usually appropriate in cases in which the student accepts responsibility.

### **Sanctions Assignable by the AMC**

1. Reflective essay or other educational assignment
2. Reduction of the coursework's grade by a percentage point or letter.
3. Failure of the coursework
4. Reduction of the course grade by a percentage point or letter.
5. Failure for the course
6. FX for the course, which is a failure for the course and notes on the transcript that the reason for the failure was due to an Honor Pledge violation
  - a. This is not usually appropriate in cases in which the student accepts responsibility.
7. Failure of the Co-Curricular Requirement/Loss of credit for the Co-Curricular Requirement
8. Additional Co-Curricular Requirements
9. Honor Code Probation
10. Suspension
11. Expulsion
12. Any other sanctions enumerated in the Bruin Guide

### **MAKING AMENDS**

A student who cheats damages two relationships in the university community, one vertical and one horizontal. First, in attempting to deceive the faculty member, the student damages the faculty-student relationship. Course grades are a faculty member's promise to others, especially those beyond the university, that they have examined the student and found the student to possess ability to that degree. Students who cheat are attempting to damage the faculty member's reputation.

Second, in attempting to improve their grade relative to their peers (particularly in the class), a student who cheats seeks to gain undeserved advantage relative to their classmates. They are attempting to rig an outcome in their favor, rather than letting a common evaluation of each student's ability settle it. The cheating student tries to make their classmates unjustly look worse by comparison.

The first step in repairing those relationships is to make amends. To make amends with the faculty member, the usual expectation will be for the student to submit to the faculty member a letter describing what they did, what led them to do it, and what they will do differently in the future to avoid making the same mistake. The faculty member will decide in their discretion whether the letter satisfies the requirement of making good what the student put wrong.

To make amends with peers, it is not feasible for the student to offer a direct apology and explanation of their behavior. The appropriate and expected remedy is that the student accept a zero on the work in question. While these are the typical amends that will be required to repair the damage of an honor violation, the adjudicator (whether the professor or the Academic Misconduct Panel) may choose a different requirement at their sole discretion. However as an "amend" the faculty member may not require the student to apologize to classmates or to other third parties.

## **MULTIPLE INCIDENTS OF HONOR PLEDGE VIOLATIONS**

If a student has a subsequent incident in which he or she violates of the Honor Pledge, serious consideration will be given to suspension or expulsion. A professor may or may not know of previous violations. If a course professor knowingly adjudicates a student's repeated incident, he or she should assign sanctions based on the current incident alone. By submitting the Faculty Adjudication Form, the OCA will become aware of multiple violation and will contact the AMC for adjudication of the separate matter of repeated violations.

There are two ways the AMC may become aware that multiple incidents of Honor Pledge Violations have occurred. First, the OCA will notify AMC if an Faculty-Adjudicated Honor Violation form for a subsequent offense is submitted to OCA. Second, OCA will notify AMC if a Referral to AMC Honor Violation form for a subsequent offense is submitted to OCA. Notably, multiple infractions submitted on a single form are considered to be a single incident, not multiple incidents.

If the AMC becomes aware of a subsequent offense that was initially adjudicated by a faculty member, that faculty member would have treated it as an isolated incident. As such, the fact that it is a repeated behavior may require a harsher penalty. The entire AMC will meet to vote about whether or not the repeated infraction should trigger one of the three additional outcomes below.

If the AMC becomes aware of a subsequent violation from a Referral to AMC Honor Violation Form, the AMC panel will simultaneously consider the violation that was referred while bearing in mind that multiple infractions often require harsher sanctions. The panel will vote about whether or not the repeated infraction should trigger one of the three additional outcomes below.

The Academic Misconduct Committee will convene a hearing with the student, asking the student to explain their repeated misconduct. The Committee will consider the student's explanation and the documented behavior in deciding what penalty is appropriate to the repeated violations. Depending on the severity of the offense (the extent and degree to which the behavior has recurred), the Committee may:

1. Subject the student to the supervision of an administrative liaison in the OCA for a number of semesters, or until the liaison is satisfied the student no longer requires supervision
2. After considering the individual characteristics of the case, the OCA administrative liaison will recommend campus support resources that may benefit the student and will also develop a written Character Development Plan that the student must complete within a specified time frame. The Character Development Plan may include required service activities and/or utilization of other campus resources deemed appropriate. The particular requirements of each individualized Character Development Plan will be at the sole discretion of the OCA administrative liaison
  - a. Additionally, the student is removed from any and all honor societies of the University to which the student may belong
3. Each society shall decide for itself whether it wishes to readmit the student, but in no event may that take place without the agreement of the administrative liaison that the student no longer requires supervision
4. Recommend to the Provost that the student be suspended from the University (not allowed to enroll in classes or participate in student life) for a number of semesters, or
5. Recommend to the the Provost that the student be expelled from the University.

The Provost will make a decision based on the recommendation of the AMC. Such decision shall be final.

Any decision of suspension or expulsion is a recommendation and requires the approval of the Provost. Whether a student's prior violation was concealed has no bearing on subsequent violations. Serious consideration will still be given to suspension or expulsion.

## **Applicability**

The sections above contain process statements that apply solely to Honor Pledge violations. Any additions and alterations from the University's Adjudication Process for Conduct Violations supersede. Where the above process statements are silent on a particular issue, the University's Adjudication Process for Conduct Violations may provide guidance and the University and students should refer to that section. Based on the Adjudication Authority for Honor Pledge Violations, the Provost or their designee has the sole discretion to determine any process questions that arise in the application of the Honor Pledge.

## **ASSISTING AND/OR CONDONING CONDUCT**

Presence when and where a violation of the Code of Conduct is occurring and failing to notify campus authorities of the violation shall subject a student to disciplinary action. Students who knowingly act in concert to violate University regulations may be held jointly responsible for such violations.

## **DECEPTIVE BEHAVIOR POLICY**

Students should engage in honest interactions and refrain from deceptive behavior. Deceptive behavior is prohibited regardless of whether another person is actually deceived. Behaviors that violate this policy include, but are not limited to, altering documents, records, forms or identifications; forging, possessing, or using forged documents, records, forms or identifications; possessing or using another person's identification; using another student's BUID number; or providing false or misleading information to a University official or intentionally initiating or causing to be initiated any known false report.

## **INAPPROPRIATE INTERNET AND COMPUTER USE POLICY**

Belmont encourages the educational and appropriate use of its Internet and computer resources. Accordingly, users should refrain from inappropriate use. Such use includes, but is not limited to:

- Bullying that would cause a reasonable student to fear for their physical safety, feel unable to enjoy full membership in the community or experience emotional trauma;
- Stalking that would cause a reasonable student to fear for their physical safety, feel unable to enjoy full membership in the community or experience emotional trauma;
- Distributing information or pictures of another student when the user knew or reasonably should have known the student wished that information or pictures to remain private (this in no way interferes with a student's ability to share such information or pictures in compliance with a directive from the University);
- Distributing materials that would offend a reasonable person and lacks any redeeming literary, scientific, political, artistic or social value;
- Operating a business venture;
- Disrupting the orderly operation of the University; and
- Violating local, state or federal law.

Note that violations of this policy may also violate other policies outlined in the Code of Conduct. Student behavior that violates this policy may be addressed through the University's Accountability Process. Employee behavior that violates this policy should be brought to the attention of Human Resources.

## **RESPONSIBILITY FOR GUESTS ON CAMPUS**

Students are responsible for the conduct of their guests on or in University property and at functions sponsored by any Belmont University student organization. Residential students should review the Handbook of Residential Living for more information about host and guest responsibility.





## CRITICAL THINKING

### COPYRIGHT POLICY

It is the policy and the duty of the University to respect the copyrights associated with books, articles, compact discs, software, videos, musical compositions and any other copyrighted work. Because it is illegal to duplicate, distribute, circulate or perform a copyrighted work without permission from the copyright owner, students must pay close attention to their handling of these works. Infringing another person's copyright is no different than stealing a CD, DVD or book from a store.

It is always safe to assume that materials are copyrighted. However, the following is a list of works that are not protected by copyright law and may be freely used without permission:

- Works in the public domain. If a work was first published (publicly distributed) more than 75 years ago, it is safe to assume that it is in the public domain. The duration of copyright for works less than 75 years old depends on when the work was first published, whether the copyright was renewed and when the author died.
- Works that lack originality. These include logical, comprehensive compilations like the phone book and unoriginal reprints of public domain.
- Works created and printed by the federal government.
- Freeware. Not shareware, but expressly available, free-of-restrictions ware.
- Facts. But not facts that have been presented in an author's specific format, such as a table, graph, etc.
- Ideas, processes, methods and systems described in copyrighted works.

The Internet is a powerful tool. It provides many opportunities for access to entertainment materials. However, it further complicates copyright compliance. Students need to be aware that many common practices on the Internet are illegal. These practices include uploading of copyrighted pictures and photographs without permission, and the trading of copyrighted music, movies, games and software over the Internet through unlicensed file-sharing.

Using and making copies of copyrighted materials over a network are generally illegal unless you have the consent of the copyright holder. There are some limited exceptions but these exceptions ordinarily do not apply when copyrighted works are shared for entertainment purposes. Copyright holders are significantly intensifying enforcement using automated scanning software to identify even small infringements, and recent legislation imposes serious criminal penalties for copyright violations through file sharing. Federal penalties for infringement include fines of \$250,000 or more, and imprisonment for up to five years for the first offense and up to 10 years for subsequent offenses. Furthermore, Belmont University will subject students who violate copyrights to student discipline as outlined in The Bruin Guide.

For rules regarding the proper use of copyrighted material for educational purposes, please see: [https://www.belmont.edu/notices/copyright\\_compliance\\_policy.html](https://www.belmont.edu/notices/copyright_compliance_policy.html).





## **SELF-CONTROL**

### **DAMAGE TO PROPERTY OR PREMISES**

The damage, destruction, abuse or acts of vandalism of personal or University property and/or premises is subject to disciplinary action and may be subject to criminal charges. Students may be charged for any damage or vandalism to University facilities and public areas that result from misconduct or misuse. Students are individually and collectively responsible for any damage unrelated to reasonable “wear and tear.” University property including, but not limited to, furniture, plants, mattresses, doors, screens and other furnishing in lounges or reception areas, may not be removed or exchanged, stacked or otherwise relocated.

### **FAILURE TO COMPLY POLICY**

Students are expected to be cooperative and respectful to University and community officials (Metro personnel) who are acting in the performance of their duties. This includes, but is not limited to, University administrators, faculty and staff such as residence directors, resident assistants, plant operations personnel, campus security officers or metro personnel. Further, students are expected to comply with instructions, requests or orders of a University official, a University official’s designee or University document. Note, failure to comply during the adjudication process may result in adjudication in the student’s absence and/or further disciplinary sanctions such as monetary fines and a Student Affairs Hold. A failure to comply violation can result when a student knows or should have known of the instruction, request or order.

### **SECURITY EQUIPMENT TAMPERING**

Tampering with card key system equipment, use of duplicate or second ID or tampering with security equipment, door locks, window locks or window screens in any way is strictly prohibited.

### **SOCIAL MEDIA POLICY**

Members of the Belmont Community are expected to uphold the Community Commitments of Individual Worth and Self-Control, in addition to all other requirements of the Bruin Guide. This expectation applies to the use of social media. Students have the right to make statements and post content within social media platforms, but that does not mean that their actions cannot result in consequences in terms of the impact their actions have on others and the Belmont community. Although Belmont University does not monitor the personal social media sites of students, if evidence of a Bruin Guide violation via social media is reported to Belmont University, the posting student may be subject to disciplinary action. Social media posts which may lead to student discipline include, but are not limited to, posts which disparage individuals or groups of persons on the basis of their race, age, sex, national origin, disability, or other protected characteristic, posts which are harassing in nature, or which incite hatred or violence.

### **ALCOHOL AND DRUG POLICY**

#### **Overview**

Belmont University is committed to self-control and the respect for self and others that enables all individuals to develop intellectually, spiritually, socially, emotionally and physically. Therefore, the University is committed to a community environment free of alcohol, illegal drugs, legal items intended to mimic the effects of illegal drugs or obtain a high, and misuse of legal drugs (Substances).

#### **Violations**

The following behaviors violate the Alcohol and Drug Policy and betray our Community Commitment to Self-Control:

- I. Consumption. Consumption is the use of a Substance(s). Student need not be in the act of consuming at the time the incident is discovered; however, the student's consumption should have coincided with or precipitated the incident. Consumption does not necessarily require a finding of impairment or possession.
- II. Possession. Possession is the actual presence of a Substance(s) on the student's person or within the student's control at the time of the incident (e.g. in the student's belongings, in a common space accessed by the student, etc.). When no Substances are actually present at the time of the incident, consumption or paraphernalia violations may still apply. If no one claims the substance(s) found, then the owner(s) of the room/space will be found responsible for the substance(s).
- III. Impairment. Impairment is a student being in a diminished state of mind at the time of the incident due to the use of a Substance(s). Due to the danger to the student and our community, impairment escalates the University's response.
- IV. Distribution. Distribution is considered supplying or providing substance(s) to others, whether or not for profit (this includes sharing). Distribution will be considered if students are in possession of a large amount of substances (either an excessive amount or bulk amount of individual containers) that a reasonable person would determine was used for multiple servings.
- V. Paraphernalia Indicative of Prior Consumption, Possession or Distribution. Paraphernalia are items found during an incident that would indicate to an objective member of the Belmont community that the student engaged in consumption, possession or distribution of a Substance in the past. Examples include, but are not limited to, empty alcohol bottles, bitters, bottle tops, marijuana pipes, baggies with drug residue, cartridges, identifications that falsely indicate a student is of age to purchase alcohol, etc. If no one claims the paraphernalia found, then the owner(s) of the room/space will be found responsible for the item(s).
- VI. Complicity. Complicity is a student being in the presence of a Substance(s) but not engaging in any of the above behaviors. Complicity will likely receive a lesser response in comparison.

### **University Response to Violations**

Belmont takes its responsibility to facilitate the positive development of students seriously. The community's response for violating the Alcohol and Drug Policy is consistent with the factors it considers in all incidents, with certain additions. Factors that that escalate the community's response include, but are not limited to, the student's past conduct history, identified concerns of abuse or dependency, the amount or nature of alcohol or drugs involved, student dishonesty or non-cooperativeness during the incident and its subsequent resolution, and danger to the student and/or community posed by the behavior.

Absent escalating factors, the community's response to a student's first violation for drug consumption, possession, impairment or paraphernalia may include separation from the community via suspension as well as additional sanctions. Drug distribution as well as paraphernalia indicative of distribution consistently results in expulsion on the first violation.

The community's response can vary for alcohol. Absent escalating factors:

- First violation of the alcohol policy may result in an educational sanction as well as additional sanctions.
- Second violation of the alcohol policy may result in probation along with other sanctions.
- Third violation of the alcohol policy will most likely include separation from the community via suspension as well as any additional sanctions.

Alcohol distribution, paraphernalia indicative of distribution and impairment will most likely result in probation but may result in suspension on the first violation.



For the definitions of probation, suspension and expulsion, please refer to the “Sanctions” subsection under “Adjudication Procedures” in The Bruin Guide.

Finally, students should note that drugs and alcohol discovered by the University may be turned over to local law enforcement. At that time, local law enforcement may choose to pursue criminal charges, which are separate from Belmont’s adjudication process for alleged violations. In compliance with federal guidance, a number of local, state and federal penalties for alcohol and drug crimes can be found below in the “Criminal Sanctions” section.

### **Amnesty Clause**

The well-being and safety of Belmont students are of critical importance to our community. Accordingly, special consideration will be given in cases where the likelihood of conduct sanctions may create a disincentive for Belmont students to seek necessary medical assistance for impairment.

If a student(s) seeks medical attention on behalf of themselves or another student due to the student’s level of impairment, the University will not pursue the typical conduct response for violations of the Alcohol/Drug Policy against the student who was impaired as well as the student(s) who reported the impairment unless the behavior presents a substantial risk to the safety or orderly operation of the community. To weigh the risk, the University will consider such things as—but not limited to—whether the behavior is repetitive for the impaired student, threats or acts of violence (including sexual violence) occurred during or after the incident, injury to others occurred, significant damage to property occurred, weapons were involved, unlawful provision of alcohol/drugs, etc.

Note, a student calling for assistance on behalf of an impaired student must contact Campus Security (615-460-6911), Residence Life or other emergency officials to report the incident. Stay with the student until a Belmont staff or faculty member arrives, and cooperate with emergency personnel and any University investigation for the Amnesty Clause to apply.

This policy does not apply to students who are found by University personnel (i.e. Campus Security, Faculty, Staff, Administration or Residence Life). In lieu of the typical conduct response, students falling within the Amnesty Clause will meet with either Residence Life or Community Accountability to discuss the incident, patterns of drug or alcohol use, responsible drinking habits that comport with University policy and state law, and other measures aimed at preventing future occurrence of such behavior. Consequences such as—but not limited to—probation, suspension and expulsion will not be assigned. Further, the incident will not become part of a student’s official conduct record that is reported externally to employers or other institutions. However, the University will keep the information for internal purposes and consideration, such as—but not limited to—use in future accountability proceedings, use in recommendations for study abroad, consideration in granting positions that represent the University, and conferring University awards. In most cases, consistent with the University’s general policies regarding Substance use, the student’s parents or legal guardians will be informed of the incident by letter.

This policy has no bearing on the actions by police or other law enforcement personnel.

### **Confidential Assistance with Substance Use**

Students may seek confidential, professional assistance related to their use or a friend’s use of substances via the following Belmont services:

- Counseling Services at 615.460.6856
- Health Services at 615.460.5506

- University Ministries pastoral care at 615.460.6419
- TimelyCare provides free, confidential, virtual physical & mental health support, accessible 24/7 to all Belmont students – students can access these services by downloading the TimelyCare app and signing in using their MyBelmont log-in information.

In some instances, these Belmont services may recommend referral to specialized care professionals or facilities and will work with the student to identify these resources.

Additionally, the following is a list of non-Belmont resources of treatment options. Belmont University does not have a contractual relationship with any of the resources listed below. They are simply listed as a courtesy to students. Students should determine for themselves whether they feel the agency will meet their needs.

- Alcoholics Anonymous 615.831.1050
- Narcotics Anonymous 888.476.2482
- Cumberland Heights Alcohol & Drug Treatment Center 615.356.2700
- TriStar Skyline–Madison Campus 615.769.5000
- Vanderbilt Addiction Center 615.327.7000

### Alcohol and Controlled Substances Notification Policy

The Higher Education Amendments of 1998 to the Family Education Rights and Privacy Act permit educational institutions to disclose to the parents or legal guardians of a student, information regarding the student's violation of any federal, state or local law or any rule or policy of the institution regarding the use or possession of alcohol or a controlled substance, if the student is under age 21 and the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

The purpose of Belmont University's Alcohol & Controlled Substances Notification Policy is to foster broader engagement of the influences that shape students' attitudes and choices regarding the use of alcohol and other controlled substances. While the University holds each student personally accountable for their conduct while enrolled, and addresses violations directly with them, it recognizes and seeks to support the pivotal role parents and guardians play in students' success by notifying them of incidents involving the use of alcohol or other controlled substances.

Parents or guardians of students under 21 years of age may be notified under any of the following circumstances:

- The student has been found responsible for violation of a federal, state or local law related to alcohol or controlled substances;
- The student has been found responsible for violation of a University policy related to alcohol or other drugs at least one time previous to the current violation;
- The student is required to be transported to a medical facility and treated because of alcohol or other drug use;
- The student has caused harm to themselves or others while under the influence of alcohol or other drugs;
- The student was responsible for vandalism or other destruction of property while under the influence of alcohol or other drugs;
- The information regarding the student is needed in connection with an emergency to protect the health or safety of the student or other individual; and/or
- Other appropriate circumstances as determined by the Dean of Students or designee.

Note, these guidelines do not preclude the University's contacting parents or guardians for other policy violations that may endanger the health and well-being of a student or other individuals in the community.

## Health and/or Development Risks Associated with Alcohol and Drug Use

Belmont is substance-free because academic research and professional experience demonstrate the decision to abuse alcohol or use drugs has profoundly negative effects on a student's collegiate career. Harvard's School of Public Health found binge drinking of alcohol negatively impacts academic performance, social relationships, risk taking behaviors and health of college students. Similarly, numerous studies have associated drug use with dependence, lower grades, an increased likelihood of dropping out, missed classes, high-risk sexual activity, difficulty finding purpose and anxiety, depression and other psychological problems that interfere with learning and personal development. The following provides further details about the health risks of specific drugs as well as alcohol.

Narcotics such as opium, morphine and heroin can cause euphoria, drowsiness, respirator depression, constricted pupils and nausea. The symptoms of an overdose of narcotics are slow and shallow breathing, clammy skin, convulsions, coma and possible death. Persons experiencing withdrawal from addiction to narcotics can experience watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating.

Depressants such as barbiturates and Quaaludes can cause slurred speech, disorientation and drunken behavior. An overdose of a depressant may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. Withdrawal symptoms include anxiety, insomnia, tremors, delirium, convulsions and possible death.

Stimulants such as cocaine and crack can cause increased alertness or euphoria, and increased pulse rate and blood pressure, insomnia and loss of appetite. An overdose of stimulants results in agitation, an increase in body temperature, hallucinations, convulsions and possible death. Withdrawal symptoms include apathy, long periods of sleep, irritability, depression and disorientation. Hallucinogens such as LSD and amphetamines cause delusions and hallucinations, and poor perceptions of time and distance. The effects of an overdose include psychosis and possible death.

Marijuana and hashish can cause euphoria, increased appetite, relaxed inhibitions and disoriented behavior. The effects of an overdose include fatigue, paranoia and possible psychosis. Withdrawal symptoms include insomnia, hyperactivity and decreased appetite.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses also increase the incidence of a variety of aggressive acts, include spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory distress and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than their peers of becoming alcoholics.

## Criminal Sanctions

In compliance with the federal Drug-Free Communities Act, the following criminal sanctions are provided to help students understand the risks of substance consumption, possession and distribution. The list may not be exhaustive; students are encouraged to engage in additional research as well as explore information about drinking laws provided in the AlcoholEDU program Belmont makes available to all incoming students.

The Metropolitan Government of Nashville/Davidson County prohibits the following acts and prescribes the corresponding penalties:

- It is unlawful to possess or knowingly have a hypodermic needle, syringe or other item used with any illicit drug or controlled substance that has traces of a controlled substance upon it.
- It is illegal to sell, deliver or give certain types of glue or plastic cement to anyone under 21 years of age. Being under the influence of one of these substances in public is also prohibited.
- It is unlawful for any person under the age of 19; a) To be present in an automobile on any public street when alcohol beverages are being consumed in the automobile; and b) To be present in any public park and be a companion of or otherwise associated with any person who is consuming alcoholic beverages who is not their parent or guardian or who has not secured written consent from the parent or guardian for the child to be present.
- It shall be a violation for any person, while on a public street or in a place generally open to the public (and not licensed for the on-premises consumption of alcoholic beverages) to have in their possession any alcoholic beverage for the purpose of consumption in a container unless the container is commercially sealed.
- Each of these offenses is punishable by a \$50 fine. Failure to pay the fine can result in a three-month jail term.

The State of Tennessee prohibits the following acts and prescribes the corresponding penalties:

- Persuading, enticing or sending a person under 21 years of age to purchase alcoholic beverages or buying an alcoholic beverage for one under the age of 21 is a Class A misdemeanor and is punishable by up to 100 hours community service and license revoked or 200 hours community service.
- It is illegal to be intoxicated in public to the degree that the person may be endangered, is an endangerment to other persons or property, or unreasonably annoys people in the vicinity. A violation of this statute is a Class C misdemeanor which can result in an imprisonment not greater than thirty (30) days or a fine not to exceed (\$50), or both, unless otherwise provided by statute.
- Consuming or possessing alcohol on the premises of an elementary, junior high or high school is punishable by up to 30 days in jail and/or a \$50 fine.
- Driving under the influence of an alcoholic beverage or drug is punishable by a jail term of up to 11 months 29 days, a \$1,500 fine and loss of driving privileges for one year for the first offense to a \$10,000 fine and the loss of driving privileges for up to 8 years for the fourth offense. In addition, a court may order inpatient treatment at a drug and alcohol rehabilitation center.
- Killing another person while driving a vehicle under the influence of alcohol or drugs is a Class B Felony and can result in a three- to 30-year sentence, a fine of up to \$25,000 and the loss of one's license to drive for up to 10 years.
- Being intoxicated and, as a result of intoxication, recklessly causing serious bodily injury to another while operating a motor vehicle is a Class D felony and is punishable by two to twelve years in prison and/or a fine of up to \$5,000.
- Consuming or possessing in an open container any alcoholic beverage or beer while operating a motor vehicle is a Class C misdemeanor, punishable by fine only.
- It is illegal to possess with the intent to manufacture, deliver or sell an illicit drug or controlled substance with the intent to sell or deliver it to another. A violation of this statute is a Class A felony, and depending on the type of substance and its quantity, such an act is punishable by 60 years and a \$500,000 fine.
- The simple possession or casual exchange of an illicit drug or controlled substance is a Class A misdemeanor and is subject to a jail term of up to 11 months and 29 days and a \$2,500 fine. If two or more prior convictions are present,

the possible sentence increases to six years in prison and a \$3,000 fine. In addition, a court may order enrollment in a drug offender school and/or community service at a drug treatment facility.

- The casual exchange of even small amounts of an illicit drug or controlled substance with a minor when the accused is at least two years older than the minor and the minor’s status is known, can result in a penalty of 60 years and a \$500,000 fine.
- Inhaling, selling, giving or possessing glue, paint, gas aerosol or gas for an unlawful purpose is a Class A misdemeanor and is punishable by a jail term of 11 months 29 days to six years and a fine of up to \$2,500.
- It is illegal to sell or buy, deliver, or distribute any item that is represented to be an illicit drug or controlled substance. Such an act is a Class E felony and is punishable by up to six years in prison and a \$3,000 fine.
- It is illegal to sell, deliver or possess the seed of jimsonweed on the premises of any elementary, junior high or high school. The penalty for such an act is 11 months and 29 days in jail and/or a fine of up to \$2,500.
- It is unlawful to possess with the intent to manufacture or deliver an anabolic steroid. This act is a class D schedule III substance and is punishable by two to twelve years in prison and a fine of up to \$50,000.

The Federal Government of the United States prohibits the following drug trafficking acts and prescribes the corresponding penalties:

DRUG/SCHEDULE	QUANTITY	1st OFFENSE	2nd OFFENSE
Cocaine (Schedule II)	500–4999 gms mixture	Not less than five yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.
	5 kgs or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. Two or More Prior Offenses: Life Imprisonment.

DRUG/SCHEDULE	QUANTITY	1st OFFENSE	2nd OFFENSE
Cocaine Base (Schedule II)	28–279 gms mixture	Not less than five yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	280 gms or more	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. Two or More Prior Offenses: Life Imprisonment.
Fentanyl (Schedule II)	40–399 gms mixture	Not less than five yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.
Fentanyl (Schedule II)	400 gms or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. Two or More Prior Offenses: Life Imprisonment.
Fentanyl Analogue (Schedule I)	10–99 gms mixture	Not less than five yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.
Fentanyl Analogue (Schedule I)	100 gms or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. Two or More Prior Offenses: Life Imprisonment.

DRUG/SCHEDULE	QUANTITY	1st OFFENSE	2nd OFFENSE
Heroin (Schedule I)	100–999 gms mixture	Not less than five yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.
Heroin (Schedule I)	1 kg or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. Two or More Prior Offenses: Life Imprisonment.
LSD (Schedule I)	1–9 gms mixture	Not less than five yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.
LSD (Schedule I)	10 gms or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. Two or More Prior Offenses: Life Imprisonment.
Methamphetamine (Schedule II)	5–49 gms pure or 50–499 gms mixture	Not less than five yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.
Methamphetamine (Schedule II)	50 gms or more pure 500 gms or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. Two or More Prior Offenses: Life Imprisonment.

DRUG/SCHEDULE	QUANTITY	1st OFFENSE	2nd OFFENSE
PCP (Schedule II)	10–99 gms pure or 100–999 gms mixture	Not less than five yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.
PCP (Schedule II)	100 gm or more pure or 1 kg or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. Two or More Prior Offenses: Life Imprisonment.
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.	Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual.
Flunitrazepam (Schedule IV)	1 gm		
Other Schedule III drugs	Any amount	Not more than 10 yrs. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.	Not more than 20 yrs. If death or serious injury, no more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.
All Other Schedule IV drugs (Other than 1gm or more of Flunitrazepam)	Any amount	Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.	Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
All Schedule V drugs	Any amount	Not more than one yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.	Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	*Not less than 10 yrs., not more than life *If death or serious injury, not less than 20 yrs., not more than life *Fine not more than \$10 million if an individual, \$50 million if other than an individual.	*Not less than 20 yrs., not more than life. *If death or serious injury, mandatory life *Fine not more than \$20 million if an individual, \$75 million if other than an individual.



DRUG/SCHEDULE	QUANTITY	1st OFFENSE	2nd OFFENSE
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	*Not less than five yrs., not more than 40 yrs. *If death or serious injury, not less than 20 yrs., not more than life *Fine not more than \$5 million if an individual, \$25 million if other than an individual.	*Not less than 10 yrs., not more than life *If death or serious injury, mandatory life *Fine not more than \$20 million if an individual, \$50 million if other than an individual.
Marijuana (Schedule I)	More than 10kgs hashish; 50 to 99 kg marijuana mixture  More than 1 kg of hashish oil; 50 to 99 marijuana plants	*Not more than 20 yrs. *If death or serious injury, not less than 20 yrs., not more than life *Fine \$1 million if an individual, \$5 million if other than an individual.	*Not more than 30 yrs. *If death or serious injury, mandatory life *Fine \$2 million if an individual, \$10 million if other than individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants;  1 to 49 marijuana plants		
Hashish (Schedule I)	10kg or less	*Not more than five yrs. *Fine not more than \$250,000 if an individual, \$1 million if other than individual	*Not more than 10 yrs. *Fine \$500,000 if an individual, \$2 million if other than an individual
Hashish Oil (Schedule I)	1kg or less		





## COMMUNITY RESPONSIBILITY

### **FIRE HAZARDS & COMBUSTIBLE MATERIALS**

As an expression of Community Responsibility, specifically in regards to the safety and welfare of our community, combustible materials including, but not limited to, gasoline, gunpowder, flammable chemicals, explosives, etc., are not permitted. Incendiary devices, including fireworks, of any kind are strictly prohibited in University facilities and on the premises of the University. Fire Hazards such as candles, appliances restricted by Residence Life from the Residence Halls, extension cords restricted by Residence Life from the Residence Halls, etc. are not permitted. Smoke detectors, sprinkler systems, alarms and fire extinguishers are integral to student and facility safety and are not to be tampered with, disabled or misused in any way. Smoke detectors must remain plugged in (if not battery operated). Due to its significant importance in protecting the community, the University is assertive in addressing violations of this policy.

### **PETS AND OTHER ANIMALS POLICY**

Belmont University strives to promote a safe and healthy learning and working environment. Consequently, pets and other animals are prohibited from University-owned buildings unless the animal is in the service of a person with a disability or the animal is used in classroom instruction. Members of the Belmont community and neighbors are free to walk their pets on campus so long as the pets are on a leash and the pets' owners pick up after their pets.

### **ASSISTANCE ANIMALS**

#### **Service Animal**

A service animal is individually trained to perform specific work or tasks for the benefit of a student with a disability, including but not limited to physical, sensory, psychiatric and intellectual disabilities. The specific work or tasks performed by the service animal must be directly related to the student's disability. Animals whose sole function is to provide emotional support, well-being or comfort do not qualify as service animals.

Service animals are permitted to accompany their handler with a disability on University properties where students, faculty, staff and visitors are generally allowed to go. A service animal's access to certain areas on campus may need to be limited where the service animal's presence may cause a health and/or safety concern, fundamental alteration or University undue hardship.

Service animals must be housebroken (i.e., trained to control their waste elimination, absent illness or accident) and must be kept under control by a harness, leash or other tether unless the person is unable to hold those, or such use would interfere with the service animal's performance of work or tasks. In such instances, the service animal must be kept under control by voice, signals or other effective means.

Students with a service animal are encouraged to work with the Office of Accessibility Services (OAS) office prior to bringing the service animal to campus to ensure reasonable accommodations are provided.

#### **Emotional Support Animal**

An emotional support animal (ESA) is an animal prescribed by a licensed mental health provider for the well-being and/or comfort that aids in mitigating one or more functional impact or effects of a student's disability. Emotional support animals may also be referred to as a therapy animal. Unlike service animals, ESAs are not individually trained to perform specific work or tasks for the student with a disability. Residents requesting an ESA to reside in their University housing must have their request reviewed and receive approval through the Office of Accessibility Services (OAS) and the Residence Life office prior to the animal entering University housing. ESAs are restricted to the student's residential areas and are not otherwise permitted inside other University buildings, including, but not limited to classrooms, dining

facilities, recreational buildings, employment areas, libraries, sporting events and research laboratories. Students requesting an ESA are to contact Office of Accessibility Services (OAS) early for information about request deadlines and procedures.

For any questions please contact the Office of Accessibility Services at [accessibility.services@belmont.edu](mailto:accessibility.services@belmont.edu)

### **THEFT POLICY**

Students should respect the property of individuals, the University and others. Students are expected to not have another's property without express permission. A student who keeps property that excludes its rightful owner of its use or enjoyment when the student knows or reasonably should have known the property belonged to another will be treated as if the student took it no matter how it came into the student's possession. The University will escalate its response when a student who has another's property intentionally took it or kept it without express permission.

### **SECURITY IS EVERYONE'S RESPONSIBILITY**

Belmont University is not responsible for loss, damage or theft of personal belongings. Students should secure their property in safe, secure locations. Members of the Belmont community should report all campus crimes to the Office of Campus Security immediately. Individuals are also encouraged to report incidents to the Metro Nashville Police Department (MNPd) for investigation and inclusion in their crime statistics. We need your cooperation and assistance.

### **TOBACCO-FREE (SMOKING, VAPING) CAMPUS POLICY**

The use of tobacco (smoking, vaping) is prohibited within the main University campus. This includes all buildings (including residence halls), parking structures, campus walkways, University owned vehicles and privately owned vehicles parked on University property. This policy applies to all students, faculty, staff, contractors, vendors and other visitors to all University property. Prohibited tobacco smoking products include, but are not limited to, vape pens, vape cartridges, cigarettes, cigars, cigarillos, pipes, hookahs, all smokeless tobacco and e-cigarettes.

#### **Enforcement**

All faculty, staff and students have collective responsibility to promote the safety and health of the campus community and, therefore, share in the responsibility of enforcement. The Offices of Campus Security and Residence Life are authorized to issue citations for violations of the policy.

The Office of Residence Life will enforce the policy within the residential community of buildings and proximate exteriors. Students found in violation of the policy will be submitted to the University judicial process.

The Office of Campus Security will also enforce and implement the policy throughout the campus community and will support the actions of the Office of Residence Life.

Faculty, staff, contractors, vendors and other visitors in violation of the policy will be reminded in a professional and courteous manner of the University policy.

Failure to comply with the request should be reported to the Office of Campus Security. Repeated offenses will be reported to their respective supervisors and to the Office of Human Resources for further disciplinary action.

#### **Sanctions for Violating the Tobacco Free (Smoking, Vaping) Policy**

The sanctions described below apply to the entire Belmont University campus including buildings, garages, residence halls and outside open areas. The offices of campus security and residence life are authorized to issue citations for violations of this policy, but Belmont is counting on all students, faculty and staff to collectively promote and enforce the policy. We believe that all students, faculty and staff share in the safety and health of the campus community.

**First Violation:**

Inside a Building—Health & Safety Fine of \$150

(The sanction for smoking and vaping inside buildings is heightened since that is a leading factor for building fires, especially in residence halls.)

Outside—Health & Safety Fine of \$75

**Second Violation:**

Upon a second violation, a student is required to participate in the formal student conduct process. Sanctions may include, but are not limited to, Health Assessment with University Health Services, participation in an Educational Program/Activity, and a Health & Safety Fine of \$200.

**Third Violation:**

Referral to the Office of Community Accountability and sanctions to be determined based on the incident and previous student conduct violations.

**Appeals**

Students may appeal a citation for violating the Tobacco-Free (Smoking, Vaping) Campus Policy in accordance with The Bruin Guide's adjudication process for conduct violations.

**UNAUTHORIZED ENTRY**

In the interest of student safety as well as successful living and learning, students are expected to not physically enter non-public areas of the University without first receiving the appropriate permission(s) that grants access. Permission may be given in many forms, such as actual permission from the person that controls the area, card access, etc. Further, students are expected to refrain from allowing objects under their control to enter such areas or assisting others without permission to enter such areas. This includes entering or attempting to enter University facilities where the physical environment presents itself to be locked, closed or restricted (i.e. lights off, after class hours, etc.).

Non-public areas include, but are not limited to, residence halls, residence hall rooms, construction areas, athletic playing surfaces, staff or faculty offices, card-restricted rooms/areas, rooftops, balconies, etc.

**UNIVERSITY POSTING**

Belmont University is committed to supporting student engagement in and out of the classroom and to providing a campus environment that is safe, orderly and aesthetically pleasing. To this end, posting on campus is permitted by members of the University community subject to the guidelines and approval processes below. (Note: Materials associated with specific academic and departmental information and activities may be posted by University personnel on bulletin boards in departmental offices/areas and are not subject to approval via this posting policy.)

**General Guidelines, Access and Privileges**

Posting on campus is permitted only by members of the University community. Specifically, current and recognized student organizations, University departments, academic units, faculty, staff and students are eligible to post on campus.

Posting is permitted only on Bruin Boards (Beaman lobby, FitRec, Hitch first floor, Sport Science Center lobby, third floor Fidelity, and Residence Hall lobbies) and in the cases on the exterior columns of the Gabhart Center. Please see Student Engagement staff during office hours to unlock any locked bulletin board cases. You may also deliver posters to the Student Orgs office (Gabhart Flex) for a professional staff member to post in the exterior windows. Posting anywhere other than these areas is prohibited. Organizations and/or individuals associated with unauthorized posting may be subject to disciplinary action.

Taping, stapling, or otherwise affixing materials to painted surfaces and/or glass potentially damages university property and is strictly prohibited. Additionally, flyers may not be placed on vehicles or left in university facilities.

Chalking surfaces must be pre-approved by the Office of Event Services and the Office of Student Engagement through the Event Request Process. If approved, chalking is permitted only on concrete surfaces, only on the day of an event, must be supervised and/or checked by a professional staff or faculty member to ensure appropriate content, and will be removed by FMS the morning following the event. Any chalking must comply with guidelines provided through the Event Request Process.

Off-campus individuals wishing to advertise non-University information and/or events should contact University agencies maintaining virtual communications:

- For Housing (e.g. roommate, lodging, etc.) contact Residence Life at 615.460.5802
- For Employment (e.g. jobs, internships, etc.) contact the Office of Career & Professional Development at 615.460.6490
- For Services (e.g. tutoring, typing, etc.) contact The Vision (Student Newspaper) at 615.460.6433
- For Sale Items (e.g. musical instruments, books, etc.) contact The Vision (Student Newspaper) at 615.460.6433

Posting is permitted only on Bruin Boards and the exterior columns of the Gabhart Student Center. Posting anywhere other than these areas is prohibited. Organizations and/or individuals associated with unauthorized posting may be subject to disciplinary action.

All postings must be approved prior to posting on-campus. Any posted material lacking University approval or posted past the noted date will be removed. The University is not responsible for the condition of posted materials and will not return materials that are removed. Approved materials may be posted on campus for up to 14 days.

### **Approval Process, Posting Specifications**

A maximum of 20 individual posters per event may be posted. Posting materials may not exceed 11x17. Clubs and organizations wishing to display a banner must seek separate approval via Student Engagement through Bruin Link.

Student Organizations wishing to post on campus must submit poster files for approval through the Event Approval Process on BruinLink. Posters may not be posted until the event and its related marketing materials have been approved. Individuals wishing to post materials unrelated to Student Organizations must complete a Posting Request Form, available in the Dean of Students Office, and submit all materials (actual posters, flyers, etc.) to be posted.

The approval process typically takes 24-48 hours during the normal business work week.

In order to be considered, postings must be initiated by a member of the Belmont Community (i.e. current students, faculty or staff of the University), announce information applicable and/or events open to the entire Belmont University community, and demonstrate direct connection to a member of the Belmont Community or extension of the University's life and work.

Postings with subjects or content that is not consonant with Belmont University's Governing Ideas or Community Commitments are prohibited. This includes but is not limited to postings that promote the sale or use of alcoholic beverages, the use or sale of tobacco, drugs or the use of sexually explicit, obscene, derogatory or inflammatory language.

## **Damages and Loss of Privileges**

Any club/organization and/or individual member of the Belmont community found in violation of the Posting Policy is subject to disciplinary action including, but not limited to, monetary fine, damage assessment, loss of posting privileges, etc.

## **Political Campaign Posting Policy**

The posting of campaign signs on-campus is prohibited. Exceptions include signs posted by students in their own residence hall rooms or apartments; signage temporarily posted in space reserved by the University or a recognized student organization for a calendared candidate forum, debate or political event.

**\*\*Approval for posting of printed materials on University property does not constitute the institution's endorsement of products, vendors or services mentioned in those materials.\*\***

## **WEAPONS POLICY**

Weapons of any kind are strictly prohibited on University property (on and off the main campus), in University facilities, in vehicles on University property and at University events. However, the University will fully comply with Tennessee Code Annotated Section 39-17-1313 and the Tennessee Gun-Free School Zones Act for individuals meeting those requirements.

A weapon includes any device defined by statute or the University which in the manner used or intended is capable of producing death, harm or bodily injury to person or property. Such devices include but are not limited to guns (including starter pistols, paintball guns, those that shoot projectiles including pellets, BBs, airsoft beads, potatoes, etc.), explosives, ammunition, knives with blades longer than three inches, slingshots, martial arts weapons and bow and arrow combinations (including crossbows).

- In the interest of public safety, the weapons policy includes items resembling weapons including but not limited to replica, non-firing, rubber, plastic and/or toy guns. Stage props are excluded from this prohibition only as stipulated in the theatrical addendum below.
- Those possessing permits to carry concealed weapons in public are subject to this policy and are prohibited from bringing weapons onto campus or into campus facilities.
- Weapons are not permitted on campus property this includes possession or storage by an individual, in a University facility or vehicle on University property. Hunters must make arrangements to store weapons off campus property and are not permitted to transport weapons on campus.
- Pepper and propellant sprays used for personal protection and self-defense are permitted on campus. Misuse or unauthorized use of these items will be assertively addressed via University conduct processes and/or state and federal statutes. However, electronic devices intended to stun or incapacitate (e.g. Tasers) are considered weapons and are not permitted on campus.
- Exceptions to this policy include uniformed police officers, authorized Belmont security personnel, theatrical props within the provisions identified below (see addendum)..

## **Weapon-Free Campus Policy (Theatrical Addendum)**

Stage weapons may be used in preparation and performance of theatrical productions under the restrictions and stipulations that follow:

- I. A stage weapon refers to any device or approximation of a device described as a weapon in the University's weapons-free campus policy. This includes but is not limited to guns, knives, swords, spears, bow and arrows, crossbows, whether capable of inflicting bodily injury or not.
- II. These stage weapons may be used on campus only in the context of practice for a University-sponsored theatrical event under the authorization of University personnel.

- III. Stage weapons are permitted only in defined theatrical performance and practice venues. They must be stored and maintained by authorized University personnel and “checked-out” for use under their approval.
- IV. Campus Security must be notified of each instance a stage weapon is to be used and each performance and rehearsal at least one week prior.
- V. Blades must be blunted, dulled sufficiently so as to pose no actual threat to participants.
- VI. Real operable (even if unloaded) firearms are not permitted. Firearms should be rubber or non-functional replicas and must be incapable mechanically incapable of firing a projectile.
- VII. Starter Pistols or other approved theatrical weapons designed to fire a blank and only a blank are also acceptable.
- VIII. Any strange or unusual stage weapon used in a classroom, rehearsal or production event must receive prior approval from security.
- IX. Audience members must be notified prior to the beginning of the performance when stage firearms are to be in use.

### **SLEDDING POLICY:**

- Do not sled on public streets, driveways, parking garages or on slopes that end in a street, drop off, parking lot or body of water.
- Never ride a sled being pulled by a car, ATV or other motorized vehicle.
- Do not use University property in any way other than it is intended purpose. This means no mattresses, table tops, etc.
- If you choose to sled on University property, you do so at your own risk.









## NOTICES AND STATEMENTS

### ANNUAL SECURITY INFORMATION REPORT

The Student Right-to-Know and Campus Security Act, signed into law November 8, 1990, and subsequently revised, requires institutions of higher education such as Belmont University to issue an annual report describing campus security procedures, facilities, policies, crime prevention programs, statistics and other information. The purpose of the report is to give individuals in the University community the information they need for their personal safety and security while on campus. The Annual Security Information Report containing campus crime reporting procedures, policies, sexual harassment and sexual offense policies, crime statistics and a list of victim advocates is available for viewing at [www.belmont.edu/ocs/annual-security-fire-safety.html](http://www.belmont.edu/ocs/annual-security-fire-safety.html). A hard copy version is available through the Office of Campus Security upon request.

### APPROPRIATE CLOTHING AND SHOES

Students are expected to take reasonable steps to protect themselves from avoidable injury; accordingly, clothing appropriate to location, weather and activity are required while on Belmont University's campus or while participating in a Belmont sponsored activity. Please note this includes students wearing shoes in all public areas of campus appropriate to the location and activity (i.e. closed toed shoes in labs, studios and anywhere machinery is in operation; athletic shoes during participation in sports). Students failing to be appropriately attired for any location or activity may be asked to leave the area until acceptable attire is obtained.

### BUSINESS VENTURES ON CAMPUS NOTICE

Belmont University supports the entrepreneurial spirit of our students. With the understanding that the primary purpose of the Belmont community is one of learning, the University has enumerated expectations to govern business ventures occurring on campus—including those delivered electronically or web-based. While student business ventures are encouraged, the following delineates acceptable and unacceptable behaviors in the operation of a venture. These expectations apply to both for-profit and non-profit ventures. Further, the University does not differentiate between student-led ventures and ventures where a student is acting as an agent or representative of another person or entity.

Students are expected to not engage in any of the following behaviors in the operation of a business venture:

- I. Use the Belmont brand and its related marks or the likeness of those marks;
- II. Use of a Belmont address (physical or electronic), University equipment or the name and resources of a student organization;
- III. Set up a booth or similar establishment on campus; or
- IV. Interfere with the University's exclusive arrangements with other businesses such as, but not limited to, bookstore items, food service, pouring rights, and athletic and University merchandise licensing.

Understanding that some academic programs and activities encourage specific business ventures by students, this notice may not apply to the business ventures of students approved by the dean of the college or their designee in which the venture is taking place. Similarly, the Office of Student Engagement may approve a business venture when the venture relates to a student organization or other co-curricular activity. There is no formal process of approval; however, the dean of the college or their designee(s) or the Office of Student Engagement must have actual knowledge of the business venture's existence before consideration will be given to whether approval exists.

## COMPLAINTS AND GRIEVANCES

### Belmont University Internal Processes

#### Academic Related:

If a Belmont University student has a grievance regarding the student's academic division or an administrative procedure the student has the right to request a review of their particular situation. The student must first attempt to resolve the problem by contacting the relevant department directly and requesting a review of their situation. If the grievance is not resolved by contacting the department directly the student should follow up with an e-mail to the representative of that department / area and detail the concern so that the student's concern is documented. The recipient of the e-mail, or an appropriate area designee, may respond in a timely manner.

Because the University already has several published policies and mechanisms for dispute resolution in place, students who contact the Dean of Students Office may be redirected (back) to the Dean of the relevant academic college or area if it is clear that the process and response were reviewed appropriately and in keeping with the published process; for example grade appeals, etc. in these cases the college or area decision and response may be deemed final.

After contacting the appropriate department directly and receiving a final response as described above, any student who still believes he or she has been treated unfairly by a University employee or process, may seek review with possible alternative resolution through the Dean of Students office. "Unfairly" means there was no process of review as described in a University publication; or adequate explanation of the final disposition to the student's grievance; or there was a noted bias on the part of the decision maker, which affected the decision.

#### General Grievances:

Students may file a formal complaint by e-mailing [deanofstudents@belmont.edu](mailto:deanofstudents@belmont.edu) describing the treatment, action, final decision given by the academic or administrative area and the remedy still sought.

Complaints will be investigated and / or referred to other offices as necessary. A written response regarding the issue will be sent to the student who initiated the complaint within 30 days.

The Vice President of Student Formation and Dean of Students serves as the primary coordinator of response and support to students with concerns or those students experiencing a crisis. If they are unavailable, they will assign a designee to serve in their absence.

## WELL-CORE

The purpose of WELL Core is to nurture in each student the capacity to live a life that is satisfying, with a sense of meaning and purpose, encompassing all dimensions of human life.

In order to graduate students are required to earn a total of 50 Well Core credits (adjusted for transfer students), 5 in each of the following categories:

**Intellectual Wellness** These activities will help students learn how to take in information critically, evaluate reliability and validity of information, and communicate ideas effectively.

**Occupational Wellness** Students will define what meaningful and purpose-driven work means to them. They will be able to articulate their strengths and areas for development. They will explore and engage in opportunities to develop an initial career plan. Students will also learn to identify and evaluate performance in recognized career readiness competencies.

**Financial Wellness** Students will be able to name the broader financial concepts they will need to know more about as they move further into adulthood. They will also be able to discuss their own finances in familiar terms. They will learn how to describe the skills required to either hold onto their financial resources or let go of them intentionally and wisely.

**Cultural Wellness** Programming helps students develop a sense of cultural identity and social location, understanding their own culture and its relation to others. Student will expand understanding of cultures and ideas other than one's own, with an emphasis on valuing differences. Students will also learn to appreciate the value, impact, and importance of being agents of hope and promoting diversity, inclusion, and equity at Belmont University and beyond.

**Spiritual Wellness** Students will encounter a variety of practices from across the Christian tradition that promote spiritual wellness and may serve as resources for resilience in their spiritual development. They will also cultivate habits of hospitality toward people with diverse religious viewpoints that will enable them to understand their role in reweaving the social fabric.

**Social Wellness** Students will utilize the social support systems, resources, and opportunities available to them at Belmont. They will participate in constructive, mutually beneficial social activities. Students will learn to seek and maintain healthy and fulfilling relationships with peers and community members, helping foster a sense of belonging.

**Emotional Wellness** These activities will help students learn to identify self-awareness strategies. They will also develop internal skills that can assist in maintaining emotional health when faced with stress and/or difficult change. Students will also learn to identify ways to interact with the community while maintaining emotional health.

**Physical Wellness** Students will practice preventative measures to increase chances of optimal physical health outcomes. They will become aware of basic corrective actions when physical health problems are encountered. Students will learn to appreciate the connection between physical, emotional, and social health.

**Environmental Wellness** features the livability of your surroundings and appropriately stewarding resources, identifying ways in which our well-being depends on natural systems, recognizing the impacts of human behavior on natural, life-sustaining systems, and engaging in behaviors to improve and sustain the health of people and the natural world.

**Service** features group or individual direct community service, personal civic engagement, and service learning. Includes a wide range of engagement opportunities, both on campus and across the Nashville community. :

***\*\*Where program topic, content or conduct is provocative or potentially divisive to the campus community, the University reserves the right to refuse the program or to require adjustments in the program in the interest of hospitality, critical engagement and/or consonance with the University's mission & vision.***

For more information about Well-Core such as the process, FAQ, requirements, policies, schedule, etc. please visit [belmont.edu/bellcore/wellcore](http://belmont.edu/bellcore/wellcore).

If you have a question about the Well-Core Program and cannot find the information on this website, please email: [well-core@belmont.edu](mailto:well-core@belmont.edu). In all emails please include: name, BUID, student status (undergraduate, transfer, adult degree program, second-degree seeking student, etc.) and your question or request.

## **DIRECTORY INFORMATION**

It is the responsibility of each student to keep their directory information current with the University. This may be accomplished by using MyBelmont to update the student's address, phone, e-mail and other contact information. The University will rely upon this contact information, maintained by the student, to communicate official information and expectations. Be advised, students are accountable for information communicated in this fashion. Students should check identified contact points regularly and update directory information promptly as appropriate.

## **EMERGENCY ACTION**

### **Overview**

The University may impose emergency action upon a student when there is reason to believe, based upon available information, that the student poses an immediate threat to the safety, health or welfare of persons, property, or the orderly operation of the University. This action is warranted by potential or threatened danger or disruption, and used only when the serious nature or immediacy of the threat requires immediate action. The action is interim in nature, pending the response of the disciplinary process. Following the imposition of emergency action, standard University disciplinary process shall be provided as expeditiously as possible.

### **Emergency action includes, but is not limited to the following:**

- **Emergency Action - Administrative Withdrawal.** This action requires immediate and temporary separation from the University. The student is to leave University property immediately, and not return during the period of administrative withdrawal. The student is expected to comply with other stated conditions for the specified period. The Vice President Student Formation & Dean of Students and the Associate or Assistant Dean of Students may impose an administrative withdrawal. If a student disregards this action, they shall be subject to further disciplinary action.
- **Emergency Action - Administrative Housing Relocation/Removal.** This action may be imposed upon a student by the Vice President of Student Formation & Dean of Students, the Associate or Assistant Dean of Students, and the Director of Residence Life. A student who is removed from housing cannot enter any residence halls. If a student disregards this action, they shall be subject to further disciplinary action and may be treated as a trespasser.

### **Notice of Emergency Action**

A student will receive written documentation of any emergency action taken against them.

The documentation shall explain the nature, reason for and duration of the action, as well as any conditions that may apply. Depending on the nature of the concern and its potential impact to the Belmont community, a student may be limited in academic participation during the period of the emergency action.

### **Disregard for Emergency Action**

Any student who returns to campus or University property and/or violates other stated conditions during the specified period of the emergency action shall be subject to further disciplinary action and may be treated as a trespasser. Permission to be on campus for a specific purpose must be requested and obtained in writing or by telephone from the Vice President of Student Formation & Dean of Students or their designee prior to any conduct contrary to the emergency action.

### **Deviations from Established Disciplinary Procedures**

A student accused of violating University disciplinary regulations may be diverted from the normal disciplinary process by the Dean of Students, if the dean believes that the student is suffering from a medical, mental or emotional disorder and this disorder has influenced the student's behavior. In such an event, the dean may refer a student for evaluation, at the student's expense, by an independent licensed psychiatrist or psychologist chosen by the University.

Any pending disciplinary action may be withheld until the evaluation is completed at the discretion of the Dean of Students. A student who fails to cooperate and complete the evaluation may be withdrawn, or referred for disciplinary action or both. Finally, as a condition of continued enrollment at the University, the Dean of Students may require the student to secure counseling or therapy.

### **FACILITY USAGE**

Only Belmont faculty, staff and student organizations are allowed to book campus space. All individuals using Belmont facilities are expected to adhere to all University Community Commitments, policies and guidelines as well as all local, state and federal laws concerning health, safety and public order. Failure to comply may result in forfeiture of the privilege of using University facilities. Anyone using University facilities will be held responsible for any damages done to the area during the time of scheduled use. More detailed information regarding campus facilities can be found at [eventservices@belmont.edu](mailto:eventservices@belmont.edu) or by calling 615.460.6786.

### **FERPA NOTIFICATION OF RIGHTS**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

- I. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- II. The right to request the amendment of the student's education records that the student believes is inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They 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 University will notify the student of the decision and advise the student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- III. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest
  - Other schools to which a student is transferring
  - Specified officials for audit or evaluation purposes
  - Appropriate parties in connection with financial aid to a student
  - Organizations conducting certain studies for or on behalf of the school
  - Accrediting organizations
  - To comply with a judicial order or lawfully issued subpoena
  - Appropriate officials in cases of health and safety emergencies
  - State and local authorities, within a juvenile justice system, pursuant to specific state law.

Note, Belmont University intends to exercise its right to forward records to officials of another school in which a student seeks or intends to enroll.

IV. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue SW.  
Washington, DC, 20202-8520

In addition, the University has the right to disclose the following information about its students to third parties without the student's consent. This information includes: name, address, date and place of birth, major, participation in officially recognized activities/sports, weight/height of members of athletic teams, dates of attendance, degrees and awards received, most recent educational agency or institution attended, photographs and parents' names and addresses. However, FERPA also grants you the right to refuse to permit Belmont to disclose this information to others without your consent. If you wish to instruct the University not to disclose directory information about you, please contact the Office of the Registrar at **615.460.6193**.

## **FILM POLICY**

The Belmont community supports the ownership rights of those who create art. Accordingly, members should be aware of the following information regarding the use of films on campus.

### **Public Performance Exhibition**

The University has a copyright policy that addresses appropriate behavior regarding copyrighted works. Can be found at [https://www.belmont.edu/notices/copyright\\_compliance\\_policy.html](https://www.belmont.edu/notices/copyright_compliance_policy.html)

The Federal Copyright Act (Title 17 of the United States Code) governs how copyrighted materials (such as film) may be used. Buying a film, in most cases, does not give one the right to show the film outside of one's home or residence hall room. Any public showing requires a license.

Motion picture titles are listed with certain corporations that license them for public viewing for colleges, hospitals, airlines, etc. These corporations have the authority to give customers the legal right to show movies. Films cannot be shown at meetings, events or in residence hall lounges without obtaining a public performance license, even if no admission fee is charged. If done "willfully and for purposes of commercial advantage or private financial gain," they are a federal crime (Section 506). Even innocent or inadvertent infringers are subject to substantial civil damages (ranging from \$500 to \$20,000 for each illegal showing) and other penalties such as court costs and attorney's fees (Sections 501-505).

### **"Face-to-face" Teaching Exemption**

The "face-to-face teaching exemption" is valid only in situations where a teacher is present in a classroom, using a film for the purpose of teaching to students in a so-called "face-to-face" manner. This educational exemption is narrowly defined and only applies to full-time, nonprofit academic institutions. This would include classroom and Convocation programs but does not include recreational activities.

### **Well-Core**

If you are planning a Well-Core program that involves showing a movie, you **MUST** limit attendance to Belmont students, faculty and staff. Copyright laws do not allow non-University affiliated people to be in attendance for these types of programs. You will be required to obtain a public performance license on Well-Core film programs that are open to the public.



## **GRADUATION JUDICIAL RESTRICTIONS**

Belmont University reserves the right to delay, deny or revoke a student's graduation and award of degree under certain circumstances. Such circumstances could include: violation of Community Code of Conduct; being the target of an ongoing criminal investigation involving an alleged crime of moral turpitude; discovery by the University of a student's pre-graduation conduct in violation of the Community Code of Conduct or local, state or federal criminal statutes.

## **IDENTIFICATION CARDS**

All Belmont students are required to obtain a personal identification card from the Office of Campus Security in the Gabhart Student Center. Identification cards are used for a number of purposes on campus including, but not limited to, access to residence halls/apartments, access to the Beaman Student Life Center fitness areas, access to sporting events, verification of Convocation attendance, use of meal plans and general identification to appropriate authorities. All students are required to produce an identification card to positively identify themselves if requested by a member of the Campus Security or Division of Student Formation staff.

## **LAWNS AND GROUNDS**

The grounds of Belmont University are maintained for the use of entire community and for providing a campus environment that is safe, orderly and aesthetically pleasing. This policy refers to all grounds in general and specifically the North Lawn, the Lawn and the South Lawn, which are often used for recreational activities and campus programming. With this in mind, the following policy has been developed to balance maintenance of the lawn and grounds as well as needs and use of the campus community.

Recognizing we are a residential campus, we believe that students need a place to relax, renew and recreate in outdoor spaces around campus. To that end, the lawns are able to be used for light active recreation such as Frisbee, jogging or passing a ball.

Tournament and competition team sports play causes concentrated use of the lawn which both damages the turf and excludes the use of the space by others. These types of activities are not allowed.

As a result, these rules are in effect:

- Organized team sports play is not allowed on the lawn.
- Cleats are prohibited.
- No stakes are to be driven or other excavations allowed. Underground irrigation systems, electrical conduit and other utilities are located below the lawn and beds, some within 12" of the surface.
- Tarps or other ground covers shall not be placed on lawns for any reason for any length of time.
- Facilities Management Services reserves the right to prohibit use of lawns at any time due to field conditions and maintenance requirements.

We expect our community members to prioritize the safety of themselves and our campus resources in their use of the lawn and grounds. As such:

- No motorized vehicles shall be permitted on sidewalks, lawns or planted areas with an exception of landscape vehicles and equipment, coordinated events by Event Services for programming.
- Bike riding is prohibited on lawns.
- No person shall climb up or rappel down any tree, building or structure on University property.
- Attachment of hammocks, swings or ropes of any kind to trees is prohibited.
- Walking pets without a leash is prohibited on campus.

## **MISSOURI VALLEY CONFERENCE FAN CODE OF CONDUCT**

The Missouri Valley Conference and its member institutions are committed to creating a safe, comfortable and enjoyable experience for all fans attending MVC contests. We ask that all fans act in a responsible and courteous manner. Abusive language or disorderly conduct is unacceptable and unwelcome. When attending an MVC contest, fans are expected to refrain from the following behaviors:

- Behavior that is unruly, disruptive or illegal in nature
- Intoxication or other signs of alcohol impairment that results in irresponsible behavior
- Vulgar, abusive, racist, sexist, demeaning or intimidating language or obscene gestures
- Interference with the progress of the game (including throwing objects onto the playing surface)
- Verbal or physical harassment of opposing teams and their fans
- Failing to follow instructions of stadium personnel

Guests will be treated in a consistent, professional and courteous manner by all facility and institutional personnel. Fans are encouraged to report any inappropriate behavior to the nearest usher, security guard or institutional administrator. Facility staff and/or security will promptly intervene to support an environment where fans and their guests can enjoy the event free from the above behavior. Fans that violate these provisions will be subject to removal from the contest site.

The Missouri Valley Conference and its member institutions thank you for adhering to the provisions of the Missouri Valley Conference Fan Code of Conduct.

## **OWNERSHIP OF CREATIVE WORKS**

### **Academic Works**

Unless Belmont University provides prior written notice to the contrary, the intellectual property rights to all materials created by Belmont students to satisfy course requirements for their respective majors and degree programs shall belong to the students who created the materials.

### **Student Employee Works**

All materials created by Belmont students within the course and scope of their employment by Belmont, in whatever medium they may exist, are rendered at Belmont's request and direction as "Work Made for Hire" and shall be the sole property of Belmont. The student worker shall have no further rights in it.

### **Student Organization Works**

The University owns the intellectual property rights to all materials created by Belmont students in the course and scope of their participation in co-curricular activities of student organizations which are chartered by or affiliated with Belmont University including but not limited to SGA and SAPB.

### **University Sponsored Clubs and Events**

Belmont University retains all ownership rights in intellectual property created by Belmont students for production, conception, design and promotion of University-produced events, regardless of any academic credit earned through the students' participation. Examples of such clubs and events include but are not limited to SIFE and the Curb College's Showcase Concert Series.

## **RESIDENCE HALLS SECURITY AND ACCESS**

Belmont University and its students are committed to the safety of the residential community. Students should note they are responsible for their own safety and security. Belmont has committed significant resources to establish a safe and secure campus environment. These include, but are not limited to:

1. Alarmed emergency doors (may not be used for normal entrance to or exit from residence halls);

2. Card access permits only on-campus residents to gain access to residential common spaces and their designated residential areas (such as hallways);;
3. Office of Campus Security, which provides escorts to students traveling across campus;
4. Office of Campus Security, which provides on-campus patrols 24 hours/day (vehicular, bike and pedestrian) and emergency response;
5. Exterior lighting which provides improved visibility along campus passageways;
6. Emergency alert and contact stations positioned in multiple campus locations; and
7. Safety awareness programs.

These services rely heavily on student support and compliance. Accordingly, all students living in residence agree that upon receipt of their key to their residential facility they are personally responsible for complying with the safety expectations. Violations of these expectations may be processed through the University discipline system.

1. Students are expected to lock their residence hall/apartment door when they are not present.
2. Students are expected to report immediately the loss of their key(s) to Residence Life staff.
3. Students are expected not to loan, duplicate or give their key(s) or Belmont University ID card to anyone, for any reason.
4. Students are expected to not to prop open any outside entrance, lobby, stairwell or laundry room doors.
5. Students are expected to keep windows locked when their room/apartment is not occupied. Further, they are expected to not to use windows as exits or entrances to any room.
6. Students are expected to report any suspicious person(s)/activities to the Office of Campus Security or a Residence Life staff member.
7. Students are expected to not to activate a fire alarm or emergency alarm unless warranted by an emergency. Students should understand that this action is a prosecutable offense and will be addressed aggressively.
8. Students are expected to not to leave guests of the opposite gender unattended in my room/apartment.
9. Students are expected to abide by all Belmont University Residence Life policies and procedures that are found in the Campus Housing Occupancy Agreement, The Bruin Guide and The Handbook for Residential Living.

For the full text of Belmont's building security measures and student expectations related to residential keys and access, please review the "The Residential Key & Access Agreement" section of The Handbook for Residential Living.

Finally, Residence Life works closely with Belmont's Facility Management Services to insure security and access measures are in working order. If students or staff notice an alarmed emergency door, card access reader, exterior lighting along campus passageways or emergency alert and contact stations are not in good working order, they should notify the Residence Director of the building or contact Facility Management Services directly at **615.460.6670**. Facility Management Services closes each day at 4 p.m.; for after hour reports, staff and students should notify the Residence Director of the building or contact Campus Security at **615.460.6617**.

### **ROLLER SKATES, ROLLERBLADES, SKATEBOARDS & OTHER COASTING DEVICES**

Skateboards, long boards, rollerblades, skates and other coasting devices ("Devices") may be used outdoors on campus so long as such use does not present a safety hazard to pedestrians and so long as such use does not cause property damage. Persons using these Devices ("Operators") must use caution and act in a safe manner at all times for the safety of pedestrians, themselves and others. Operators must yield to pedestrians. In times of heavy pedestrian traffic, when sidewalks and pathways are congested (such as when classes change between the hours of 8AM and 4PM on weekdays), Operators shall dismount and/or remove Devices completely and walk. Operators are prohibited from engaging in tricks (sliding, grinding, jumping, etc.) anywhere on University grounds and may

not otherwise operate Devices in parking garages or University buildings or on stairs, railings and/or retaining walls. Violations of these policies will result in disciplinary action.

Use of Devices is at the Operator's own risk. Operators should be aware that they are personally liable for injury to people or damage to property caused by their activity. In addition, Operators are expected to know and adhere to all applicable laws and regulations governing use of public roads, sidewalks and other public areas. Metro Nashville generally prohibits the use of Devices on public roads.

### **RENTED SCOOTERS – RENTED DOCKLESS BICYCLES**

For the safety and well-being of the campus community, rented scooters may only be utilized on public streets near campus where cars are allowed. These electronic/motorized devices are NOT allowed to be operated, stored or left on Belmont University property. In addition, rented dockless bicycles are NOT allowed to be left or stored on campus. Questions about this policy should be directed to Campus Security.

### **Hoverboards**

Recent information has revealed that the batteries in hoverboard devices are dangerous and prone to explosion, creating a safety and fire risk. Until a time that the safety standard of these devices are improved, Residence Life has prohibited them from being in any of our residence halls.

Effective immediately, the use, possession, or storage of Hoverboards, Swagways, IO Hawks, Skywalkers, and similar devices, is prohibited on campus until safety standards for them can be developed and implemented, and the prohibition lifted.

### **Cautionary Note**

Like any other sport or method of transportation, the use of Devices involves inherent risks that can lead to injury or death of the Operator or bystanders. Belmont University strongly urges Operators to fully understand the inherent risks and how best to manage such risks. Wearing protection equipment while operating Devices is strongly recommended. A properly fitted helmet will dramatically reduce chances of traumatic brain injury during a fall, while other safety equipment like slide gloves, knee and elbow pads, and padded shorts will help minimize bodily harm in case of accident.

### **SEARCH AND SEIZURE**

A search of a student, a student's possessions or a student's on-campus residence may be authorized by Dean of Students Office if there is reasonable cause to believe that prohibited or unlawful activity has occurred. Any items found that violate the Community Code of Conduct or any local, state or federal laws will be seized and reported to the appropriate authorities.

### **STUDENT AUTHORIZATION TO USE PHOTOGRAPH OR VIDEO**

From time to time, University personnel will photograph or videotape campus events for the instructional, documentary, promotional, public relations and/or advertising purposes of Belmont University. Belmont students included in such photographs or video agree that the photographs or video may be used for these purposes by Belmont University. A student objecting to this provision should contact the University Marketing and Communications at [communication@belmont.edu](mailto:communication@belmont.edu) or **615.460.6650**. Belmont students agree that video recording of online class activities for use by students enrolled in the class are permitted and are not subject to objection procedures.

## **UNIVERSITY E-MAIL COMMUNICATIONS TO STUDENTS**

The University commonly employs Belmont-provided student e-mail accounts to notify students of official communications. Accordingly, students are expected to check their Belmont-provided e-mail accounts daily. A student is considered to have received an official communication from the University upon it being sent to the student's Belmont-provided account.

## **UNIVERSITY FACILITIES USAGE**

The University prohibits vendors of entertainment or other services in any University facilities without prior written authorization by appropriate University officials. The University reserves the right to deny any forms of entertainment or service that is inconsistent with the mission and purpose of the institution.

## **USE OF INTERNET AND COMPUTER RESOURCES**

Belmont University provides access to the Internet computer resources to all its students and employees who comply with this Notice and Statement. The University expects that all those who exercise this privilege will do so responsibly. It has therefore developed this Notice and Statement to assist users. It is intended to address the following usage situations:

- Use of University-owned computing resources (i.e. computer labs, computers at workstations) by students, employees or guests of the University;
- Use of Belmont resources to access information on the Internet and campus e-mail; and
- When a student is no longer enrolled in the University or when an employee is no longer employed by the University, Belmont reserves the right to delete that individual's account.

### **E-mail Privacy**

E-mail has made employment and academic activities of the University more efficient by enabling us to make better use of our time. However, unsecured or inappropriate e-mail usage can be problematic. To avoid these problems, remember the following:

- Refrain from disclosing your access codes/passwords to anyone.
- Send e-mail only from your assigned e-mail address.
- Belmont's e-mail system is for use by faculty, staff and students in carrying out their employment and academic activities. It is not intended for personal use.
- Prior to sending an e-mail message, ask yourself whether you would feel comfortable if the text of the message were posted on a bulletin board on campus or printed in the newspaper. Would public disclosure cause unnecessary embarrassment or create liability?
- The privacy of e-mail sent or received on University equipment cannot be guaranteed.

Please note the following regarding e-mail privacy:

- If the e-mail pertains to a student, it may be an "educational record." In accordance with the Family Educational Rights and Privacy Act, a student may have the right to inspect and review the e-mail.
- The use of private "mailboxes" and passwords in an e-mail system does not provide any privacy from people who will see e-mail forwarded, printed out or left displayed on an unattended computer screen.
- Belmont makes no representations regarding the security of the e-mail system from casual users or hackers.
- Although it is a violation of University policy and ethics for members of the ITS staff to monitor the content of e-mail messages, e-mail may be accessed and read by others who have a need to know in the event that the University conducts an investigation into any form of misconduct, is involved in litigation requiring discovery of e-mail and in other limited situations.

- Students may wish to minimize the chance that a sensitive communication sent via e-mail is misdirected or accessed without permission by sending the communication through regular mail, campus mail or by personal delivery.

### Software Ethics

Belmont University supports the rights of those who create and produce software. Accordingly, students should only use software only to the extent granted by their software license. Use beyond the license is prohibited.

### Commercial Use

Since Belmont University is defined as an educational rather than a commercial site on the Internet, commercial use of Belmont's computing resources is prohibited. Belmont reserves the right to restrict accounts that are used for commercial purposes. For more information, please refer to the "Business Ventures on Campus Notice and Statement" located in The Bruin Guide.

### Solicitations

While Belmont University encourages its students to participate in charitable activities, study abroad and missions opportunities, it does not permit use of Belmont e-mail accounts to send or receive emails which solicit donations or other contributions from faculty, staff or fellow students. Belmont reserves the right to terminate the use of or restrict accounts that are used for solicitation purposes.

### Wasteful Use of Resources

Users are to refrain from deliberately performing any act that will impair the operation of any facet of the Internet and computing resources of the University or the resources of any recipient of the information. Such acts include, but not are limited to, sending excessively large mailings, large print jobs, batch programs, "junk mail" (including chain letters), etc. Those who use computing resources for recreation, entertainment, personal and extracurricular work are to yield to those who have academic need for the Internet and computer resources. Examples of non-academic use are playing computer games, printing personal or extracurricular materials (invitations, announcements, resumes, etc.) and chatting to personal friends. In periods of high demand, these uses may be disallowed in computer labs.

### Limitations on Access

Belmont encourages the free exchange of ideas in order to promote an educational environment that is in accordance with its Community Commitment to Critical Thinking. However, the University reserves the right, in its sole discretion, to limit access to materials that do not comport with the standards of the community or lack any redeeming literary, scientific, political, artistic or social value.

## PROTEST AND DEMONSTRATION POLICY

As a Christ-centered, student-focused community, dedicated to developing diverse leaders of purpose, character, wisdom, and transformational mindset, Belmont University values the free exchange of ideas within the university and larger society. At the same time, such freedom must be balanced with the safety of the campus community, Belmont's mission, vision and values, and the orderly conduct of university operations. Belmont University permits peaceful protests and orderly demonstrations as tools to promote respectful discussion of diverse ideas and viewpoints. This policy ensures the appropriate use of university facilities and seeks to prevent potential safety issues or disruption to university operations that may result from such protests or demonstrations. The Bruin Guide's Community Commitment to Critical Thinking states:

The Belmont community is committed to the pursuit of truth and the communication of knowledge. It encourages individuals to develop the ongoing capacity for critical, independent thinking and judgment, both inside and outside the classroom. It affirms the individual's right to teach and to learn, and their responsibility to prepare

adequately. As members of the Belmont community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include but are not limited to: disruption or obstruction of teaching, research, convocation, campus life programs and events, residential education, administration, disciplinary proceedings and/or other university activities including public-service functions or authorized non-University activities occurring on university premises.

The granting of permission for a Protest/Demonstration to take place and to use the university's facilities in no way implies any endorsement of the views or opinions by the university.

## Policy

Protests and Demonstrations must remain consistent with the university's mission, vision and values, as well as the university's safe and orderly operations. The university recognizes that protests/demonstrations may generate conversations or ideas that are difficult, uncomfortable, or espouse differing viewpoints to foster the pursuit of Truth and the expansion of knowledge. In making determinations under this policy, the University also seeks to act consistently with the University's Christ-centered mission, which, like the earthly ministry of Jesus Christ encourages the University to engage differing perspectives that bring us to the margins of human experience in service to the Truth. Protests/demonstrations should foster and exhibit respectful dialogue. In keeping with Belmont's Christ-centered mission, all participants should respect those with whom they disagree as image-bearers of God. Vigorous advocacy of positions should never devolve into dehumanizing characterizations of others. If there is a history of such dehumanization, or a reasonable anticipation of such, the University reserves the right to decline to approve a request. The university may also cancel a previously approved event at any point where speech or actions become inconsistent with this policy.

This policy applies to all members of the Belmont community, including but not limited to: faculty, instructors, and graduate assistants; staff; all students; visiting scholars; external speakers on campus; volunteers; and guests, visitors, and members of the public who attend or participate in protests or demonstrations on Belmont University property.

All university policies apply during Protests and Demonstrations. Sponsors and participants, including but not limited to faculty, staff, students, and the public, are responsible for knowing and abiding by university policies as well as local, state, and federal laws and regulations at all points during the planning and execution of any Speech Event.

## Definitions

- A. Demonstration: Demonstrations are independent from any other speaker, event, or activity occurring on campus.
- B. Protest: Protests are intentionally connected to a campus speaker, event, or activity.
- C. Sponsor: A Sponsor is a recognized student organization, a student or group of students, and/or a faculty or staff member who seeks to host a Protest or Demonstration on university property or at a university-sponsored event and submits a Registration Form requesting to sponsor a Protest or Demonstration, or is so associated with the event that a reasonable person would infer that relationship.
- D. Reviewer: Belmont University's Committee on External Speaker Guidelines (See Belmont Policy 601 – External Speakers and Events.)
- E. Speech Event: Protests and Demonstrations, collectively.

## Speech Event Approval

- The Sponsor must submit a Registration Form to the Reviewers, providing a written description of the content, purpose, and educational goals (as applicable) of the proposed protest/demonstration.

- The form must be submitted at least two (2) weeks prior to the planned event. Where two weeks' notice is not possible due to unforeseen, exigent circumstances (such as where the subject matter forming the basis of the Speech Event was not known two weeks in advance and the need to hold a Speech Event is urgent), an expedited review will take place.
- The Reviewers will review the registration form and information provided upon submission. The Reviewers reserve the right to meet with the Sponsor and to consult with other University officers and administrators to discuss the event and the information submitted along with the Registration Form.
- Along with the information submitted on the Registration form and the descriptive proposal, the following factors will be considered in the determination of whether a demonstration may be approved:

**Factors to be considered:**

1. Endangers or threatens to endanger the safety or health of the University or any member of the University community;
2. Poses a risk of harm or threatens to harm any of the University's physical facilities;
3. Poses other public safety concerns;
4. Poses any disruption/obstruction or potential disruption/obstruction to safe and orderly University operations
5. Violates any applicable law;
6. Violates this policy or any University policy;
7. Serves as a platform to denigrate the Christ-Centered identity or mission of the University; and/or
8. Includes obscene, indecent, or grossly offensive expression on matters such as race, ethnicity, religion, sex, sexual orientation, or any other characteristic protected by applicable law or University policy.

The decision of whether to approve or deny a request will be reviewed considering the principles related to the University's Christ-Centered mission, vision, and values outlined in the Guiding Principles for Mission-Related Considerations for Speakers and Events (Attachment A).

Speech Event requests originating from faculty, staff, or students of the College of Law will be governed by Standard 208 as set forth by the American Bar Association (ABA) and College of Law policies.

- Following any above-noted consultation, the Reviewers will approve or deny the request to demonstrate within two (2) business days of submission during the academic year. If approved, the Reviewers may specify conditions on the approval of the demonstration, such as requirements for security measures, facilitators, disclaimers, etc. Additionally, reviewers may, depending on the nature of the event, require the presence of additional law enforcement to manage large scale events to maintain a safe learning environment. If denied the notice of denial will include the reasons for denial. A majority vote of the Reviewers is required to approve the demonstration and conditions.

**Appeals**

- If a submitted request is denied by the Reviewers or conditions are placed on the Speech Event that are objectionable to the Sponsor, the Sponsor may appeal the decision in writing to the Speakers and Events Appeals Committee. The appeal shall be in writing and must indicate the reasons why the decision on the denial of or conditions on an Speech Event should be reversed. The Speakers and Events Appeals Committee will consist of the Chief of Staff & Executive Vice President for Administration (or designee); the Provost & Executive Vice President for Academic Excellence (or designee); and the University Counsel & Executive Vice President for External Engagement (or designee). The Speakers and Events Appeal Committee may consult with others at the University, including the University President, related to the appeal. The Speaker and Events Appeals Committee will determine hosting the Speech Event and the conditions under which the Speech Event



may be held. The Speaker and Events Appeal Committee will have final decision-making authority regarding external speakers and events on University property or University-sponsored events off campus. Absent extenuating circumstances, the Speakers and Events Appeals Committee will issue an appeal decision within two (2) business days.

- Denial of any request originating from faculty, staff, or students of the College of Law, in compliance with ABA Standard 208, shall be reviewed automatically by a COL subcommittee convened for purposes of assessing compliance with Standard 208. If such committee believes that denial of the speaker violates Standard 208, then the COL may host the external speaker subject to reasonable time, place, and manner restrictions consistent with this policy.

### Conduct of Speech Events

- Amplified sound should only be used outside of campus buildings and must comply with all applicable noise policies and ordinances. In campus buildings, activities should comply with maximum occupancy for fire safety.
- Speech Events in the vicinity of a scheduled campus event may utilize only silent and symbolic acts (e.g., picketing, holding signs, covering ears), and may not obstruct access or viewing, so as not to interfere with the rights of others wishing to engage in the scheduled university event.
- University Officials
  - The University may, at its discretion, have individuals from Student Formation, Campus Security, or other University departments present at Protests, Demonstrations, and other events to observe and advise.
- Relocation or Termination
  - The University will work with Sponsors and participants to relocate or terminate, in the university's discretion, Demonstrations and Protests that actually or potentially disrupt campus operations, impede the free flow of vehicular or pedestrian traffic, violate University policies, create safety risks to the campus or wider community, or significantly infringe on the rights of other members of the University community.
- Demonstrations and Protests are not permitted to occur in the following locations:
  - Private offices, research laboratories or associated facilities, and computer centers;
  - Specific areas of offices, museums, libraries, and other facilities that contain valuable or sensitive materials, collections, equipment, and records protected by law, or by existing University policy, such as educational records, student-related or personnel-related records, or financial records;
  - Classrooms, teaching labs, learning labs, art and music practice rooms, seminar rooms, auditoriums, meeting rooms, or outdoor spaces in which University academic courses are being held or are scheduled to be held;
  - Residential areas except for common areas outside of quiet hours; and
  - Accessibility Services, Health Services, Counseling Services, Student Care and Support offices, Title IX office, University Ministries, Belmont Campus Security headquarters, other administrative offices in which student privacy is paramount.
  - Other areas in the sole discretion of the Reviewer.

**Distribution of Printed information or use of electronic media.** Sponsors and participants who distribute information, whether physically or electronically, are responsible for its content and its compliance with university policies. Students may distribute physical materials, including flyers, leaflets, informational sheets, or similar materials on/in the Reviewer-designated area only. Sponsors are responsible for ensuring all printed materials are in compliance with university posting policy and are removed at the conclusion of the Speech Event.

## Disorderly Conduct

- Riots or other destructive gatherings are never permitted. Use of clothing that obscures participants' identity, brandishing of weapons or items that could reasonably be believed to be weapons, words and actions that may incite violence or direct hate at any particular individual or group, physical altercations, and any other act a reasonable person would believe is designed to intimidate or threaten others is prohibited. This does not apply to individuals who wear covering as part of faith-based practices.
- Conduct that disrupts teaching, administration, university procedures and activities, prevents an audience from seeing or engaging with a speaker or participating in other authorized activities on university premises, blocking entrances or exits, or impedes free movement is prohibited.
- Demonstrating in a violent, obscene, indecent, or grossly offensive manner, particularly regarding matters such as sex, race, shared ancestry or ethnic characteristics, religion, national origin, sexual orientation, or any other characteristic protected by applicable law or university policy is strictly prohibited.
  - o The following types of behaviors are examples of violation of university policy:
    - Unwelcome name calling, obscene language, and other abusive behavior
    - Intimidation through direct or veiled threats including those issued via voice mail messages, email or social media.
    - Throwing objects regardless of the size or type of object being thrown, or whether a person is the target of the thrown object.
    - Physically touching another person in an intimidating, malicious, or harassing manner, including such acts as spitting, hitting, slapping, poking, kicking, pinching, grabbing, and pushing.
    - Physically intimidating others including such acts as obscene gestures, shouting, fist shaking, and stalking.
- Unauthorized entry and/or use of any university space is prohibited. That includes, but is not limited to, unauthorized entry into or occupation of any university room, building, area of campus, or other space controlled by the university in a manner not permitted by the standard rules or policies governing operation of that space. Refusal to leave a space at the request of a university official is considered failure to comply and/or unauthorized use of space.
- Disorderly conduct, as outlined above, may subject a Sponsor or participant to removal from the event, referral for disciplinary action through the Accountability Process for Violations of Community Responsibilities or other legal action available to the university. While the campus is generally open to the public, the university may trespass individuals engaging in prohibited conduct during Speech Events.

## Consequences for Violating this Policy

Any participant must comply with this and other university policies, applicable laws, and directives of a presiding officer, Sponsor, or any other university official, such as Belmont University Campus Security and/or law enforcement. The university retains discretion and may take proper actions to address violations of law or university policy, including but not limited to cancellation of the Speech Event, removal of violators of this or other University policies, or denial or restriction on the use of university space and property in the future. Appropriate disciplinary or conduct actions also may be warranted in such cases.

As outlined in the Bruin Guide, students are responsible for the conduct of their guests on or in the University property and at functions sponsored by any Belmont University student organization.

At its discretion, Belmont University may pursue criminal charges for serious violations of the protest policy. These include but are not limited to:

Criminal Trespassing as defined in the Tennessee Code Annotated (TCA) 39-14-405, a class C misdemeanor which is punishable by thirty (30) days in jail.

Disorderly Conduct as defined in Tennessee Code Annotated (TCA) 39-17-30, a Class C misdemeanor.

For University employees, as outlined in the employee handbook, Belmont proclaims the values of the worth of the individual; personal integrity; critical, independent thinking; self-discipline; and community responsibility and accountability, while it seeks to experience the growth and fulfillment which characterize a dynamic environment. Acknowledging each person's freedom and responsibility, each employee should also recognize the occasional need to modify her/his behavior for the good of the Belmont community or of society at large. In this sense, all employees should strive to behave responsibly to create a climate of mutual respect. An employee's continued employment and participation in University life is conditioned upon her/his adhering to the behavior expectations of this statement. Employees who engage in behavior that betrays these values will be subject to disciplinary action up to and including termination of employment. In affirming these values, the Belmont community expects each employee to exemplify behaviors consistent with these values in all facets of University life. The affirmation of these values also includes complying with federal, state and local laws both on and off campus.

### **Cross References**

- a. Anti-Discrimination and Harassment Policy
- b. Code of Conduct (Bruin Guide)
- c. Speakers and Events Registration Form
- d. External Speakers and Events Policy

### Attachment A: Guiding Principles for Mission-Related Consideration for Demonstrations

- As an institution of higher education, the University is committed to creating an environment that supports free expression and inquiry and embraces education as a search for truth where faith and reason complement each other in learning.
- As a Christ-centered university, the university seeks to work at the frontiers of our culture and society. The university also encourages the pursuit of perspectives that bring us to the margins of human experience in service to the Truth. Diverse perspectives, challenging topics, and texts that raise more questions than they may answer serve a crucial role in public society and the Church. In service to these ideals, Demonstration and Protest requests should make clear the benefits of the dialogue that they seek to encourage by clearly articulating the goals and perspectives for the events they wish to sponsor.





## ACCOUNTABILITY PROCESS FOR VIOLATIONS OF COMMUNITY RESPONSIBILITIES

### INTRODUCTION

#### Applicability

The following applies to violations of the Code of Conduct. However, process statements under Belmont's Academic Honor Code and Sexual Misconduct Policies may differ from statements in this section. Those differences supersede information provided here.

#### Terms

- I. Accountability Officer(s) make judgments on what behavior has occurred and do not make judgments about the worth of the person; accordingly, character information is not warranted. Information can be presented in various forms, such as documentation, witness statements or personal accounts. During an Inquiry, the Accountability Officer in charge determines whether information is appropriate to the proceeding and will direct the student based upon that determination.
- II. Administrative Inquiry. An "Administrative Inquiry" is conducted by the Director of Community Accountability or their designee in lieu of a Community Accountability Council Inquiry. The Vice President of Student Formation & Dean of Students or their designee reserves that right to route particular inquiries to an Administrative Inquiry.
- III. Accountability Process. The "Accountability Process" encompasses the rights afforded to a student by Belmont and stated procedures for resolving an Incident.
- IV. Advisor. An "Advisor" is defined as a member of the University community (i.e. faculty, staff or peer.) that accompanies a student to the Inquiry as an emotional support to the student. The Advisor may not speak or otherwise participate in an Inquiry. No representation by an attorney and/or parent is permitted regardless of community membership.
- V. Authorized University Official. An "Authorized University Official" is a designee of the Vice President of Student Formation & Dean of Students who is authorized to give notice of an incident to a student. Such authorized University officials may include, but are not limited to, Community Accountability, members of Residence Life, members of the Office of Campus Security or members of the Dean of Students.
- VI. Community Accountability Council. The "Community Accountability Council" is comprised of students and at least one faculty and/or staff member that conduct the Inquiry into a student's alleged violations. The Dean of Students Office reserves that right to designate this body to adjudicate particular inquiries. This Council is overseen by the Community Accountability.
- VII. Community Accountability Outcome Letter. At the conclusion of an Inquiry, the student will receive a response from the Accountability Officer(s) in the form of a "Community Accountability Outcome Letter." In this response, the Accountability Officer(s) will state any decisions regarding responsibility and any Consequences. The response will be provided electronically to the student within a reasonable amount of time.
- VIII. Consequences. Students who accept or are found responsible for an incident are given "Consequences" that focus on education, restitution and punishment.
- IX. Incident. The term "Incident" refers to student behavior(s) that a member of the Belmont community alleges to violate the Code of Conduct.
- X. Information. Rather than providing evidence, "Information" is presented during an Inquiry for the purpose of clarifying details. Information may only address facts related to the

incident such as who, what, when, where and—when intent is appropriate to the finding of responsibility or Consequences—why.

- XI. Information Session. An “Information Session” is conducted prior to a Community Accountability Council Inquiry or an Administrative Inquiry. During an Information Session, a student may view currently available University Information related to the Incident, may receive instructions regarding the Accountability Process and may have any existing violation definition reviewed with them.
- XII. Inquiry. An “Inquiry” is an opportunity for the University to determine what happened during an Incident by weighing the provided information—both by the University and the student subject to the accountability process—before making decisions about responsibility, when the student has denied responsibility and, if necessary, Consequences.  
Notice Letter. The notice letter acts as official University notice for the student and begins the accountability process.
- XIII. Preponderance of the Evidence. “Preponderance of Evidence” means that the information, as a whole, shows that the fact(s) supports the conclusion that it is “more likely than not” that the student engaged in the alleged behavior.
- XIV. The student may make their declaration of that time of their Inquiry. The Accountability Officer(s) will decide whether or not the student is responsible during an Inquiry by a Preponderance of the Evidence. Responsible or Not Responsible is used rather than guilty or not guilty.
- XV. Student Affairs Hold. A “Student Affairs Hold” is a mechanism used for compliance among the student population in regards to participation and completion of the accountability process. A Student Affairs Hold is an official stop on a student’s University records, which may prevent a student from registering, dropping and/or adding classes, requesting transcripts, graduating, etc.
- XVI. Suspension Hold. A suspension hold may be placed on a student’s account during his or her suspension period. A Suspension Hold is only removed after a student’s suspension period has run its course. Transcripts may be made available from the Registrar during the suspension period; however, the transcript will note the suspension. A Suspension Hold may prevent a student from re-enrolling, registering for classes, dropping or adding courses, graduating and more.
- XVI. University Representative. A “University Representative” is empowered to schedule inquiries and conduct Information Sessions. A University Representative may also serve as an accountability Officer. A University Representative includes the Vice President of Student Formation & Dean of Students or their designee. The University Representative will most often be a staff member of either Residence Life or Community Accountability. The Notice Letter should indicate the University Representative a student should contact with questions.

### Philosophy

The University upholds high ideals and expectations for each member of the campus community. These ideals are expressed in the University’s Code of Conduct. Belmont University’s accountability process is designed to be a part of the educational mission of the University, one that focuses on upholding the commitments inherent in the Belmont community. The accountability process teaches all members of the University appropriate and acceptable behavior within a community.

The University provides an accountability process in which members of the Belmont community may resolve violations of the Code of Conduct with mutual respect for one another while fostering relationships. These relationships help to create an environment of accountability holding members of the community responsible for their actions with the ultimate goal of encouraging and fostering the personal growth and development of each student.

## Guiding Principles

When there are violations of the Code of Conduct, the accountability process will be governed by the following:

- Fairness. The process should strive to be consistent, clear, comprehensive and, when possible, efficient.
- Education. The process, including potential consequences should strive to be educational. Students are encouraged to consider issues such as responsibility for actions and making wise choices.
- Respect. The process should strive to be characterized by respect for all individuals as well as the community as a whole and the commitments outlined for our campus.

## University Accountability & Criminal or Civil Systems

Belmont's accountability system is not equal to a criminal or civil court system. The two systems are independent, have different purposes, processes and standards used to determine responsibility and Consequences. The procedural defense of double jeopardy does not apply. While some procedural elements may seem similar, Belmont's system is founded on educational philosophies and fundamental fairness rather than criminal or civil court systems. As a private institution, Belmont University's accountability process seeks fundamental fairness by establishing these rights and procedures. Accordingly, Belmont does not adhere to the standards of Constitutional Due Process.

During an Inquiry, students present Information. Consequently, standard rules of evidence do not apply in the University's accountability process. Also, in contrast to the prevailing evidentiary standard in criminal matters for determining guilt, "beyond a reasonable doubt" does not apply. To be consistent with comparable evidentiary standards used by other institutions of higher education, Accountability Officers use a Preponderance of the Evidence standard to determine responsibility. Due to the difference in standards, Belmont uses specific terminology in its accountability process, which is defined under Terms in this section.

## ACCOUNTABILITY PROCEDURES

### Notice

- I. When an Incident has occurred, a student will be provided notice by an Authorized University Official via email.
- II. The Notice Letter may only be given to a student by an Authorized University Official. Any member of the Belmont community may report an Incident (see Authority).
- III. A Notice Letter must include the following information to be considered effective notice: the alleged violation(s), approximate date of the Incident and instructions that information about the Accountability Process can be found in The Bruin Guide.
- IV. A reasonable attempt will be made to provide the Notice Letter. If the situation does not reasonably allow a submission of the Notice Letter at the time of the Incident, then the student should be given the Notice Letter no later than 15 business days after an Authorized University Official knows about the Incident barring institutional breaks or other reasonable delays.
- V. A Notice Letter is delivered to the student's Belmont e-mail address and is considered to provide the student with notice of the Incident. In accordance with University policy, students are expected to check their e-mail daily.
- VI. Failure or refusal to respond to notice of the Incident (i.e. not checking campus mail, avoiding attempted contact efforts by University officials, etc.) may result in an Inquiry being conducted in the student's absence and Consequences being assigned (see Pre-Inquiry).

## Pre-Inquiry

- I. Once notice has been provided, a student should contact the University Representative indicated on the Notice Letter within the two business days following the issue date of the Notice Letter in order to schedule an information session and/or inquiry. University Representatives reserve the right to schedule an Inquiry time, date and location at their sole discretion and may take under consideration such factors as student's schedule, Accountability Officer(s) schedule, prejudice to the student of delaying the Inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors. Information sessions and inquiries may be conducted on the same day.
- II. A student's failure or refusal to contact the appropriate University Representative within the allotted two business days will be treated as the student's acceptance of responsibility for all alleged violations, will waive any privilege to an Information Session and will result in an Inquiry being scheduled and conducted in the student's absence.
- III. An Information Session is conducted prior to a Community Accountability Council Inquiry or an Administrative Inquiry. During an Information Session, a student may view currently available University Information related to the Incident, may receive instructions regarding the Accountability Process and may have any policy language reviewed with them. The University reserves the right to redact information when it poses a risk to the safety of an individual or individuals.

## Inquiry

- I. If a student attempts to cancel a scheduled Inquiry prior to its commencement, the student must provide documentation to the appropriate University Representative supporting a valid reason. Granting a postponement is at the discretion of the University Representative.
- II. If a student fails to appear at a scheduled Inquiry, the student waives the privilege to participate in the Inquiry. The student will be accountable for the outcome of the Inquiry.
- III. If the Accountability Officer(s) or the University Representative needs to reschedule the Inquiry prior to its commencement, the University Representative will make a reasonable effort to notify the student of the new time, date and location of the Inquiry. The University Representative will set a new Inquiry time, date and location at their sole discretion and may take under consideration such factors as student's schedule, Accountability Officer(s) schedule, prejudice to the student of delaying the Inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.
- IV. An Inquiry is a closed meeting involving only those who have information regarding what happened, the optional Advisor, and those responsible for the Accountability Process.
- V. During an Inquiry, the student will have the opportunity to challenge or clarify University Information related to the Incident and present their own Information related to the Incident.
- VI. The student will have the opportunity to question any person involved in the Incident who appears in person to provide information.
- VII. The student may request permission to bring a person or persons who have Information related to the Incident to the Inquiry. The name of any person appearing on the student's behalf must be submitted and approved by the University Representative one working day prior to the Inquiry. A student must complete a Witness Request Form (available from the University Representative).
- VIII. The Accountability Officer(s) will determine whether Information is relevant to what happened during an Incident and may redirect a person if Information is determined to be irrelevant.
- IX. The Accountability Officer(s) may take action against a person or Advisor who is interfering with the Inquiry in their sole discretion. Such action includes—but is not limited to—halting the Inquiry, rescheduling the Inquiry, or removing the person or Advisor from the Inquiry and proceeding in their absence.



- X. At the conclusion of the Inquiry, the Accountability Officer(s) will deliberate responsibility if a student has denied responsibility for an alleged violation. A preponderance of the evidences standard will be used by the Accountability Officer(s) to make decisions regarding responsibility.
- XI. A student's prior accountability record will be considered only during the Consequence phase of the Inquiry and will not be considered during the deliberation of responsibility.
- XII. If a student is responsible for a violation(s)—either by the student's own admission or the decision of the Accountability Officer(s)—the Accountability Officer(s) will assign Consequences. In some cases it may be necessary to schedule a second meeting in order to give the Accountability Officer(s) sufficient time to assign Consequences.
- XIII. The decision(s) by the Community Accountability Council will be based on a simple majority vote by the council.

### **Community Accountability Outcome Letter**

- I. Decisions regarding responsibility and Consequences, if any, will be delivered to the student in writing through the student's Belmont e-mail address. The student is considered to have received the Outcome Letter upon the letter being sent via e-mail.

### **Appeals**

- I. Accountability Officer(s) decisions related to responsibility or Consequences can be appealed, provided that one or more of the reasons for appeal is relevant to the case. The appellate officer varies depending on the initial Accountability Officer(s). The Accountability Officer(s) or University Representative can direct a student to the appropriate appellate officer.
- II. All appellate responses are final.
- III. Appeal Request
  - A. The student has two business days from the date the student receives the Outcome Letter the appeal form is linked inside of the Outcome Letter.
  - B. The Director of Community Accountability or designee will review the request to determine if the request meets the grounds for an appeal. The request should state the reason(s) for appeal and the supporting facts. In order for an appeal to be considered valid, the request and supporting facts must be directly connected to one or more of the reason(s) for appeal. If the appeal fails to meet the reason(s) for appeal, then the appeal will be denied. Student(s) will be notified that their appeal was denied due to failure to connect their request to one or more of the reason(s) for appeal.
- IV. The reasons for appeal are limited to:
  - A. There is evidence that the adjudication process procedures (notice, information session, inquiry, outcome letter) were not followed which may have a bearing on the initial decision.
  - B. New information that was not available at the time of the original inquiry which may have a bearing on the initial decision.
  - C. There is evidence of bias on behalf of the inquiry officer(s) that may have a bearing on the initial decision.
- V. Appellate Review
  - A. If the appellate officer grants an appellate review, they will review the request within 15 business days of the appeal submission.
  - B. On appeal, the student bears the burden to clearly state on the appeal request form and any supporting materials that an error has occurred during the Accountability Process.

- C. The student is not required to be in attendance for the appellate review and will not be included in the review. The student may request to meet with the appellate officer. Requests are granted at the discretion of the appellate officer.

#### VI. Appellate Decisions

- A. If the Appellate Officer grants an appellant review, the Appellate Officer has the option of affirming the original decision(s) regarding responsibility and Consequences, affirming the original decision(s) regarding responsibility and modifying the Consequences, or reversing the original decisions regarding responsibility and Consequences.
- B. Appellate responses are communicated in writing and sent to the student's Belmont e-mail address. The student is considered to have received the appellate response upon the response being sent to the student's Belmont e-mail address.
- C. Suspensions, expulsions and removal from campus housing Consequences will not take effect until the appellate process is complete, except in the case of an emergency action.

### **Accountability Process For Students Who Leave Belmont before Resolution**

- I. **Incomplete Consequences.** If a student completed the accountability process and received Consequences but leaves Belmont without completing the Consequences, then the student's accountability record will indicate that the student has incomplete Consequences and a Student Affairs hold will be placed on the student's official University record/account. This hold will prevent a student from obtaining transcripts and reapplying to the University. Additionally, other institutions and groups requesting verification of a student's standing with the University will receive a report of "not in good standing." Depending on the severity of the issue the incident may also be reported to other institutions incident to the student's enrollment and in accordance with their FERPA rights.
- II. **Notice Provide.** If a student has been given notice but leaves Belmont before the accountability process has been completed, the student is still accountable for their actions and the process will continue regardless of the student's participation. The student will receive notice of the continued process, opportunity to participate and documentation of the outcome. Should the student receive Consequences and fail to complete those Consequences, then the student's accountability record will indicate that they have Incomplete Consequences, and a hold will be placed on the student's official University record/account. This hold will prevent a student from obtaining transcripts and reapplying to the University. Additionally, other institutions and groups requesting verification of a student's standing with the University will receive a report of "not in good standing." Depending on the severity of the issue the incident may also be reported to other institutions incident to the student's enrollment and in accordance with their FERPA rights.
- III. **Notice Not Provided.** If a student leaves Belmont before he or she is given notice regarding their alleged incident, all documentation of the incident will be placed in the student's accountability record, and a hold will be placed on the student's account. This hold will prevent a student from obtaining transcripts and reapplying to the University. Additionally, other institutions and groups requesting verification of a student's standing with the University will receive a report of "not in good standing." Depending on the severity of the issue the incident may also be reported to other institutions incident to the student's enrollment and in accordance with their FERPA rights. If the student wished to obtain transcripts or reapply to the University, then the incident must be addressed through the accountability process.

## PROCESS STATEMENTS

### Jurisdiction

Belmont University reserves the right to address student behavior or student organization activity on-campus, off-campus and online when such behavior or activity is inconsistent with the Code of Conduct or has an adverse impact on the Belmont community, its members or the pursuit of its objectives. Any incident involving an individual student's behavior or a student organization's activity that is believed to be inconsistent with federal, state and local laws may be addressed as well. The University also has the authority to address behavior that occurs during sponsored off-campus events and programs (including the University's international programs) when it is determined that the behavior conflicts with the University's policies and/or educational mission.

### Scope

Belmont University's Code of Conduct applies to student behavior occurring from the time of admission until the actual awarding of a degree or other separation from the institution completed without unresolved conduct violations. For entering students, a student's violation of the Code of Conduct occurring prior to the opening of residence halls for the admitted semester may be addressed through reevaluation of the admission offer. In such cases, the student will receive a written letter stating the decision of the reevaluation. After the opening of residence halls for the admitted semester, a student's behavior will be addressed in accordance with The Bruin Guide's Accountability Process. A student's intention to live on or off campus does not alter this policy. Pursuant to The Bruin Guide, authority for student accountability ultimately rests with the Vice President of Student Formation & Dean of Students or his/her designee(s). For entering students, professional staff members from University Admissions may be responsible for implementing accountability decisions.

### Authority

- I. Authority for student accountability ultimately rests with the Vice President of Student Formation & Dean of Students or his/her designee(s). Under the direction of the Vice President of Student Formation & Dean of Students, professional staff members from the Division of Student Formation are responsible for implementing the accountability process for students.
- II. Any member of the Belmont University community may report an Incident. The Vice President of Student Formation & Dean of Students or his/her designee reserves the right to determine the most appropriate method for responding to the alleged Incident (e.g. Issuing a Notice of Community Responsibilities, speaking informally with the student, etc.).
- III. The Vice President of Student Formation & Dean of Students or his/her designee(s) reserves the right to choose the appropriate Accountability Officer(s) to adjudicate Incidents. Considerations in selecting the appropriate Accountability Officer(s) includes, but is not limited to, the need for confidentiality, anonymity, community or individual safety, or expediency.
- IV. All Accountability Officer(s) have the authority to consult with other appropriate University officials in order to effectively resolve an incident.
- V. The Vice President of Student Formation & Dean of Students or his/her designee(s) reserves the right to extend or reduce any deadlines associated with the Accountability Process if the effect of the extension or reduction would benefit the student.
- VI. The Vice President of Student Formation & Dean of Students or his/her designee(s) reserves the right to place a Student Affairs hold on a student's account to bar withdrawal while an Incident is pending accountability.

### Confidentiality

- I. Decisions regarding accountability matters are confidential and become a part of the student's educational record, and are, therefore, subject to federal regulations set forth in the Family Educational Rights and Privacy Act (FERPA) of 1972. Those involved in inquiries should not comment on any aspect of the case or outcome with anyone other than the student unless allowed to do so in accordance with FERPA, Title IX, Clery

Act or other federal provision related to student privacy.

- II. Should anyone involved in the accountability process be asked for public comment, he or she should be aware of their duty to refuse comment and instead should refer the question to the Vice President of Student Formation & Dean of Students or their designee for an official statement.
- III. Persons found to be in violation of this Confidentiality provision will be subject to University accountability action. Such disclosure of information is not only in violation of University policy but also of federal statutes.
- IV. Upon request, the University will disclose the results of any accountability proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the alleged victim or their next of kin if the alleged victim is deceased.

### **Documentation of Accountability Record**

- I. All documentation related to the incident will be placed in the student's conduct file. A student's accountability file(s) and record(s) will be maintained by the Dean of Students Office.
- II. All accountability files and records will be retained for 10 years.

### **Disruption of Accountability Process**

- I. No one will engage in conduct that disrupts an Inquiry, lessens the authority or dignity of an Accountability Officer or otherwise obstructs justice on campus.
- II. No one will cause, attempt to cause or coerce a student to give false information in any Inquiry.
- III. Students will fully comply with instructions of an Accountability Officer.
- IV. Behavior that disrupts the Accountability Process will be treated as a violation of the Community Commitment of Critical Thinking.

## **CONSEQUENCES**

### **Philosophy**

The philosophy behind Belmont University's Consequences is developmental. We believe in an ongoing developmental process of individuals' assuming responsibility for the effect their behaviors have on themselves. Additionally, students are expected to engage in individual behavior that creates a mutually beneficial living and learning community for all. In determining appropriate Consequences for incidents, the institution is guided by three considerations that foster the student's development.

- I. Education
  - A. What type of Consequence will assist the student in understanding why the commitment and/or policy violated is important?
  - B. What type of Consequences will either cause or reaffirm the student's reflection on their behavior?
  - C. What impact does the student's behavior have on themselves and the campus community?
- II. Restitution
  - A. What Consequence will make the student or community whole, as if the behavior had never happened?
- III. Duty to Community
  - A. What Consequence will serve as a deterrent to future behavior of the student and other members of the Belmont Community?
  - B. What Consequence is necessary, to communicate to the student the seriousness of the violation, signify to the Belmont community that this type of behavior is unacceptable and reassure the community the

University will uphold other's accountability to their responsibilities?

- C. What Consequence is necessary to encapsulate the shock or insult the community feels as a result of a particular act?

### Potential Consequences

In all cases, sanctions for violation(s) can include, but are not limited to, the following:

- I. Verbal Reprimand.
- II. Written Reprimand.
- III. Removal of University Housing. A person removed from Belmont housing for disciplinary reasons will be responsible for all housing charges assessed for the semester they are removed. Housing cancellation refunds will be based off the refund table in the Housing Occupancy Agreement. If it is outside of the refund period, no refund will be issued for the balance of housing costs. Your meal plan will not be cancelled automatically. Should you wish to cancel or adjust your existing meal plan, please reach out to Residence Life. Cancellation refunds will be prorated at a daily rate.
- IV. Restitution and/or Fines.
- V. Reflection Essays.
- VI. Letters of Apology.
- VII. Required attendance in educational seminars, programs, etc.
- VIII. Drug Testing.
- IX. Loss of privileges, such as the privilege to move off-campus, membership in co-curricular organizations, etc.
- X. Permanent No-Contact Orders between involved individuals.
- XI. Permanent No-Trespass Order on Belmont's campus for an individual.
- XII. Limited Probation. Limited Probation is defined as a period of time during which any further violation of the same nature within the Community Code of Conduct puts the student's status with the University in jeopardy. If the student is found "responsible" for another violation of the same nature during the period of Limited Probation, serious consideration will be given to imposing a sanction of Institutional Probation, Suspension or Expulsion. Limited Probation could potentially affect the students' ability to represent the University in leadership positions or on athletic teams, participation in student activities or study abroad opportunities, entrance into University residence halls or other areas of campus, or contact with another specific person(s). The University may choose to treat violations of a different nature either as separate from the limited probation or extend the limited probation to encompass that behavior. In those circumstances, the University will consider the totality of the students' conduct record when determining an appropriate sanction.
- XIII. Institutional Probation. Institutional Probation is defined as a period of time during which any further violation of the Community Code of Conduct puts the student's status with the University in jeopardy. If the student is found "responsible" for another violation during the period of Institutional Probation, serious consideration will be given to imposing a sanction of Suspension or Expulsion. Institutional Probation could potentially affect their ability to represent the University in leadership positions or on athletic teams, participation in student activities and study aboard opportunities, entrance into University residence halls or other areas of campus, or contact with another specific person(s).
- XIV. Suspension from Belmont University. Separation from the University for a specified period, which includes loss of all tuition, fees, coursework and other privileges of an enrolled student.
- XV. Expulsion from Belmont University. Separation from the University without the possibility of readmission. A student will lose all tuition, fees, coursework and other privileges of an enrolled student.



# IV. Campus Activities

## STUDENT FORMATION

### BELMONT UNIVERSITY STUDENT ORGANIZATION CLASSIFICATIONS

#### Overview

Co-curricular involvement is a vital part of the overall collegiate student experience. It provides students the opportunity to apply what they are learning inside the classroom to their lives outside of the class. Research by George Kuh found co-curricular involvement enhances student learning and cognitive, psychosocial, moral and ethical development. Additionally, research by Helen and Alexander Astin found co-curricular involvement can lead to students developing greater self-knowledge of their talents and strengths as well as improving their leadership competence and the capacity to mobilize themselves and others to serve and work collaboratively. Participation in student activities prepares students for personal and professional success beyond graduation. We affirm the choice of our students to be involved in the campus and community; student organizations provide one avenue to engage in a co-curricular experience.

#### STUDENT ORGANIZATION DEFINED

A student organization is a group of currently enrolled Belmont University students who form together for a common purpose, for which they do not receive academic credit. Any group of students which meets regularly, elects or appoints officers, collects dues, conducts a program or in any other way consistently functions as an organization is required to seek University recognition through the Office of Student Engagement.

If an organization has a relationship with an outside or inter/national entity the policies and procedures of Belmont will supersede any of the outside affiliation.

The Office of Student Engagement clarifies the opportunities, responsibilities governance and the legal relationship between recognized student organizations and Belmont University. Organizations fit into a classification by fulfilling every aspect of the definition. Within each classification there are additional privileges and responsibilities that are associated with existing as a recognized Belmont University student organization.

#### UNIVERSITY RECOGNITION FOR NEW STUDENT ORGANIZATION

When a group of students meets the definition of a student organization, it is required to apply for formal recognition by Belmont University through the Office of Student Engagement. Recognition provides Belmont University the opportunity to extend resources and support to student organizations and to manage opportunities to enhance the student experience, enrich the campus community and advance the mission and vision of the University. After receiving University recognition, student organization must remain in good standing and must annually renew their recognition status. Failure to annually renew recognition status will result in the organization being placed on inactive status. For more information regarding maintaining University Recognition please refer to the Student Organization Handbook.

#### DIVISION OF STUDENT FORMATION MULTIPLE STUDENT LEADERSHIP POLICY

As we aspire to be exceptional at engaging and educating students, the Division of Student Formation believes that in order to maximize the students potential and to ensure the success of each organization, a student may hold only one concurrent executive leadership position, as defined by the Division of Student Formation, at a time.



Executive leadership positions as defined by the Division of Student Formation include the following positions within the following organizations:

- SGA President and Vice President
- SAPB Directors and Coordinators
- Orientation Council
- Resident Assistants
- Panhellenic Council Executive Officers
- Fraternity and Sorority Chapter Presidents
- Fitness & Recreation Leadership Team
- Towering Tradition Leaders\*

## **ORGANIZATION BEHAVIORAL EXPECTATIONS**

Student club and organization recognition comes with many privileges. With those privileges come expectations related to the behavior of student leaders and organizational members. Leaders and members of student organizations at Belmont University are expected to uphold all facets of the University's Community Commitments and all policies found in The Bruin Guide and the Student Clubs and Organizations Handbook. As an expression of the institution's vision, mission and values, student organizations and their members are expected to commit themselves to individual worth; personal integrity; critical thinking; self-control; and community responsibility.

### **Organizational Programming & Events**

Organizational activity significantly influences individual experience and the campus culture in general. For this reason, the activities of student organizations are expected to be congruent with the University's Community Commitments and to abide by all University rules, policies and procedures. This expectation applies to all organizational activities both on and off campus.

Belmont encourages the free exchange of ideas in order to promote an educational environment that is in accordance with its Community Commitment to Critical Thinking. However, the University reserves the right, in its sole discretion, to refuse a program or to require adjustments in the program that do not comport with the standards of the community or lack any redeeming literary, scientific, political, artistic or social value.

### **Organizational Activity**

Belmont University affirms students' opportunities to be involved in the campus and community, and student organizations provide one avenue to enrich the co-curricular experience. Organizational activity significantly influences individual experience and the campus culture in general. For this reason, the activities of student organizations' members and guests are expected to be congruent with the University's Community Commitments and to abide by all University rules, policies and procedures. This expectation applies to all organizational activities both on and off campus.

Additionally, activities planned or hosted by an individual member(s) of an organization may be considered organizational activities. Please note: the degree to which an organization is responsible for the activity of its members is not necessarily dependent upon the number of members engaging in the activity. When the act, event or activity grows out of, or is directly related to, the student organization's activities or an environment created and knowingly permitted by the organization, or when a member of an organization is violating local, state or federal law, the organization may be held responsible and may be subject to disciplinary action.

The following questions guide consideration of whether an event will be considered organizational activity:



- I. What is the purpose of the activity?
- II. Who is attending the activity? Why are they attending? Is it mandatory for members?
- III. What resources on funding are supporting the event?
- IV. How is the event being publicized or communicated?
- V. Has organizational leadership (e.g. President, Advisor, Chairperson, etc.) helped to coordinate this activity or is leadership participating?
- VI. Would a reasonable person think this activity is associated with the organization?

Belmont University is not responsible for any injury, damage, debt or other liability caused by the acts or omissions of student organizations that are in violation of the University's Community Commitments, Student Organization Behavioral Expectations or other University policies found in The Bruin Guide.

If your organization needs assistance in determining if an activity is organizational in nature, a member should contact the Office of Student Engagement for clarification prior to the activity.

### Student Organization Addendum to the Substance Free Campus Policy

The University's "Substance-Free Community Policy" can be found under the Community Commitment to Self-Control section of The Bruin Guide. It addresses the specific rules and expectations regarding the use of alcohol and drugs. Student clubs and organization activities are required to be congruent with the Substance-Free Community Policy, the Community Commitments and to abide by all other rules, policies and procedures of the University found in The Bruin Guide. These expectations apply to all organizational activities both on and off campus.

In addition, student club and organizations may not host or participate in events held at establishments whose primary purpose is selling alcohol.

When fundraising student club and organizations may not partner, receive funds or goods from venues or vendors whose primary purpose is selling alcohol. Club and organization members should at no time serve or dispense alcoholic beverages. All student clubs and organization fundraising activity must be in compliance with the Student Organization Fundraising policy.

### STUDENT CLUB AND ORGANIZATION ACCOUNTABILITY PROCESS

The following is an overview of the student clubs and organizations adjudication process. Additionally, the University has the authority to take emergency action against an organization for alleged violations of our Code of Conduct, which is outlined within this overview.

In addition to addressing violations on an organizational level, Belmont University reserves the right to address individual students through the adjudication process.

For the purposes of this section, the Director of Community Accountability also includes their designee(s), which may be staff in the Office of Student Engagement.

### Reporting Code of Conduct Violations by Student Club and Organizations

- I. Any individual inside or outside of the Belmont community may report a possible violation by a student organization of the University's Code of Conduct.
- II. Possible University violations should be reported directly to the Director for Community Accountability by

emailing [accountability@belmont.edu](mailto:accountability@belmont.edu). Reports should include the following information:

- A. A narrative of the incident that describes what occurred;
  - B. Name of the organization(s) involved;
  - C. Names of individual students (if possible); and
  - D. Contact information of the individual reporting the incident.
- III. Once a report has been made, the Director for Community Accountability may investigate the incident at their discretion.

### Investigation

- I. To begin the Investigation into an alleged organizational violation of the Director of Community Accountability or their designee(s) (Investigator) will contact individuals who may have information regarding what happened during an incident (Individual) to request a meeting times. When an Individual knows or reasonably should know of this request and fails to respond, the Investigator may take action to compel compliance. Such acts may include, but are not limited to, student affairs holds, fines, removal from leadership positions within the organization, removal from the organization and alleging violations of the Failure to Comply Policy.
- II. Once a request is made, the Individual should contact the Investigator within the two business days in order to schedule a meeting. The Investigator reserves the right to schedule a meeting time, date and location at their sole discretion and may take under consideration such factors as their schedule, Individual's schedule, prejudice to the organization of delaying the meeting, the time necessary to collect information, nature of the alleged violation(s) and other factors.
- III. Conducting an Investigation:
  - A. The Individual may participate in person (preferred), in writing, by phone or electronically.
  - B. When meeting with the Investigator, the Individual is entitled to:
    - i. Present information in any form (personal account, text messages, emails, etc.) regarding what happened during the alleged incident;
    - ii. Provide names of other individuals with information regarding what happened during the alleged incident to participate in the investigation; and
    - iii. Not provide information in response to questions at their choosing.
  - C. When meeting with the Investigator, the Individual is not entitled to:
    - i. An advisor; or
    - ii. Currently available University information about the incident
  - D. The Investigator will determine whether information is relevant to what happened during an incident and may redirect a person if information is determined to be irrelevant.
  - E. The Investigator may take action against an Individual who is interfering with the investigation in their sole discretion. Such action includes—but is not limited to—halting the Investigation, rescheduling the Investigation, permanent removal from the Investigation and alleging a separate failure to comply violation.
  - F. The Investigator may meet with Individuals as many times as he or she reasonable believes is necessary to collect information.
  - G. Once the Investigator determines that the investigation into what happened is complete, the Investigator will document the information provided by each Individual involved (Documents).

## Review

- I. The Director for Community Accountability and Associate Director of Student Engagement will review the Documents to determine if there is reasonable cause to continue.
- II. Based on the review, the Incident will either continue under the Student Club and Organizations Accountability Process, be referred for individual violations of the Code of Conduct, be closed or result in other action within the administrative discretion of the Director for Community Accountability and Associate Director of Student Engagement.
- III. If the Incident continues under the Student Club and Organizations Accountability Process, the Director for Community Accountability will assign an Accountability Officer(s) to adjudicate the organization's alleged violation(s) of the Code of Conduct.
- IV. If the Incident continues under the Student Club and Organizations Accountability Process, the Director for Community Accountability may contact the organization regarding emergency action or other measures intended to insure the safety or orderly operation of the Belmont community.

## Notice

- I. When the review leads to violations being alleged against a student organization, the president or similar student leader of the organization (Primary Contact) will be provided notice of the alleged violations via a Notice of Community Responsibilities.
- II. A Notice of Community Responsibilities must include the following information to be considered effective notice: the alleged violation(s), approximate date of the Incident(s), and instructions that information about the Accountability Process can be found in The Bruin Guide.
- III. The President should be delivered a Notice of Community Responsibilities no later than 15 business days after the Director of Community Accountability knows about the incident barring institutional breaks or other reasonable delays.
- IV. A Notice of Community Responsibilities delivered in person or to the President's Belmont e-mail address is considered to provide the President with notice of the Incident. When delivery is not in person, notice is complete upon sending the Notice of Community Responsibilities, not upon receipt. In accordance with University policy, Presidents are expected to check their e-mail daily.
- V. Failure or refusal to respond to notice of the Incident (i.e. not checking campus mail, avoiding attempted contact efforts by University officials, etc.) may result in an Inquiry being conducted in the President's absence and Consequences being assigned (see Pre-Inquiry).

## Pre-Inquiry

- I. Once notice has been provided, a President should contact the Community Representative indicated on the Notice of Community Responsibilities within the two business days following the issue date of the Notice of Community Responsibilities in order to schedule an Inquiry. Community Representatives reserve the right to schedule an Inquiry time, date and location at their sole discretion and may take under consideration such factors as President's schedule, Accountability Officer(s) schedule, prejudice to the President of delaying the Inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.
- II. A President's failure or refusal to contact the appropriate Community Representative within the allotted two business days will be treated as the club or organization's acceptance of responsibility for all alleged violations, will waive any privilege to an Information Session, and will result in an Inquiry being scheduled and conducted in the Primary Contact's absence.
- III. Prior to the commencement of an Inquiry, a President must indicate whether he or she accepts or denies responsibility for an alleged violation(s). If a President will have a Community Accountability Council Inquiry or an Administrative Inquiry, the President should indicate whether he/she accepts or denies responsibility for an alleged violation(s) no later than the conclusion of the Information Session.

- IV. An Information Session is conducted prior to a Community Accountability Council Inquiry or an Administrative Inquiry. During an Information Session, a President may view currently available University Information related to the Incident, may receive instructions regarding the Accountability Process and may have any policy language reviewed with them. The University reserves the right to redact information when it poses a risk to the safety of an individual or individuals.

## Inquiry

- I. If a Primary Contact attempts to cancel a scheduled Inquiry prior to its commencement, he or she must provide documentation to the appropriate University Representative supporting a valid reason. Granting a postponement is at the discretion of the University Representative.
- II. If a President fails to appear at a scheduled Inquiry, he or she waives the organization's privilege to participate in the Inquiry. The organization will be accountable for the outcome of the Inquiry. If he or she needs to reschedule, the President should notify the Community Representative one working day prior to the Inquiry. Requests to reschedule are at the discretion of the Community Representative.
- III. If the University needs to reschedule the Inquiry prior to its commencement, it will make a reasonable effort to notify the President of the new time, date and location of the Inquiry. The Community Representative will set a new Inquiry time, date and location at their sole discretion and may take under consideration such factors as President's schedule, Accountability Officer(s) schedule, prejudice to the organization of delaying the Inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.
- IV. An Inquiry is a closed meeting involving only those who have information regarding what happened during an incident and those responsible for the Accountability Process.
- V. During an Inquiry, the President represents the organization and will have the opportunity to challenge or clarify University Information related to the Incident and present their own Information related to the Incident.
- VI. The President will have the opportunity to question any person involved in the Incident who appears in person to provide information.
- VII. The President may request permission to bring a person or persons who have information related to what happened during an incident to the Inquiry. The name of any person appearing on the President's behalf must be submitted and approved by the Community Representative one working day prior to the Inquiry. A President must complete a Witness Request Form (available from the Community Representative).
- VIII. The Accountability Officer(s) will determine whether Information is relevant to what happened during an Incident and may redirect a person if Information is determined to be irrelevant.
- IX. The Accountability Officer(s) may take action against a person who is interfering with the Inquiry in their sole discretion. Such action includes—but is not limited to—halting the Inquiry, rescheduling the Inquiry or removing the person or Advisor from the Inquiry and proceeding in their absence.
- X. At the conclusion of the Inquiry, the Accountability Officer(s) will deliberate responsibility if a President has denied responsibility on behalf of an organization for an alleged violation. A preponderance of the evidences standard will be used by the Accountability Officer(s) to make decisions regarding responsibility.
- XI. An organization's prior accountability record will be considered only during the Consequence phase of the Inquiry and will not be considered during the deliberation of responsibility.
- XII. If an organization is responsible for a violation(s)—either by the President's own admission or the decision of the Accountability Officer(s)—the Accountability Officer(s) will assign Consequences. In some cases it may be necessary to schedule a second meeting in order to give the Accountability Officer(s) sufficient time to assign Consequences.
- XIII. The decision(s) by the Community Accountability Council will be based on a simple majority vote by the board.

## Community Accountability Outcome Letter

- I. Decisions regarding responsibility and Consequences, if any, will be delivered to the President in writing through the President's Belmont e-mail address or in person. When delivery is not in person, the President is considered to have received the Community Accountability Outcome Letter upon the letter being sent via e-mail.

## Appeals

- I. Accountability Officer(s) decisions related to responsibility or Consequences can be appealed, provided that one or more of the reasons for appeal is relevant to the case. The appellate officer varies depending on the initial Accountability Officer(s). The Accountability Officer(s) or Community Representative can direct a President to the appropriate appellate officer.
- II. All appellate responses are final.
- III. Appeal Request
  - A. A written request should be completed and submitted to the appropriate appellate officer, within two business days from the date the President receives the Community Accountability Outcome Letter. The appeal request form is available from the President's Accountability Officer(s) or Community Representative.
  - B. The request should state the reason(s) for appeal and the supporting facts. In order for an appeal to be considered valid, the request and supporting facts must be directly connected to one or more of the reason(s) for appeal. If the reason(s) for appeal are not met the appeal request will be denied.
  - C. An appellate officer will review the written request, appeal request form and any accompanying information and can decide whether or not to grant an appellate review.
  - D. If the appellate officer finds no basis for an appeal review, then the original decisions regarding responsibility and Consequences will stand, and the President will be notified in writing sent via e-mail to the President's Belmont e-mail address.
- IV. The reasons for appeal are limited to:
  - A. Procedural error, which had a bearing on the original decisions.
  - B. New information that was not available at the time of the Inquiry which had a bearing on the original decision(s).
  - C. Information demonstrating that there is no way a reasonable person could have arrived at decisions similar to the original decisions absent bias.
- V. Appellate Review
  - A. If the appellate officer grants an appellate review, he or she will review the request within 15 business days of the appeal submission.
  - B. On appeal, the President bears the burden to clearly state on the appeal request form and any supporting materials that an error has occurred during the Accountability Process.
  - C. The President is not required to be in attendance for the appellate review and will not be included in the review. The President may request to meet with the appellate officer. Requests are granted at the discretion of the appellate officer.
- VI. Appellate Decisions
  - A. If the Appellate Officer grants an appellant review, the Appellate Officer has the option of affirming the original decision(s) regarding responsibility and Consequences, affirming the original decision(s) regarding responsibility and modifying the Consequences or reversing the original decisions regarding responsibility and Consequences.

- B. Appellate responses are communicated in writing and delivered in person or sent to the President's Belmont e-mail address. When delivery is not in person, the President is considered to have received the appellate response upon the response being sent to the President's Belmont e-mail address.

### **ACCOUNTABILITY FOR ORGANIZATIONAL POLICIES**

Violations of policies that are exclusively organizational in nature and do not restate, overlap or interfere with Code of Conduct Commitments and Policies may be adjudicated by the appropriate person(s) within the organization (Organizational Leadership). Organizational Leadership may take additional action based upon the particular values or standards unique to that organization a member or organization found responsible for violating the Code of Conduct once the University's Accountability Process is complete.

### **WITHDRAWAL OF UNIVERSITY RECOGNITION**

Student organization recognition comes with many privileges. As the University grants these privileges upon conveying official recognition, it can withdraw them for cause. Any organization found not living into the written mission and purpose agreed upon by the organization and the Office of Student Engagement, may lose privileges, may be placed on probation or may lose official University recognition status. Additionally, any organization found responsible for a major violation of University policies or found responsible for a series of violations of University policies may lose privileges, may be placed on probation or may lose official University recognition status.



Belmont University is a Christ-centered community. The University faculty, administration and staff uphold Jesus as the Christ and as the measure for all things. As a community seeking to uphold Christian standards of morality, ethics, and conduct, Belmont University holds high expectations of each person who chooses to join the community. In compliance with federal law, including provisions of Title IX of the Education Amendments of 1972, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act and Section 504 of the Rehabilitation Act of 1973/the Americans with Disabilities Act, Belmont University does not discriminate on the basis of race, sex, color, national or ethnic origin, age, disability, military service, or sexual orientation in its administration of education policies, programs, or activities; its admissions policies; or employment. Consistent with applicable civil rights law, the University seeks employees of Christian faith who are committed to the mission of the University. The University has appointed the Chief Human Resources Officer/Deputy Title IX Coordinator to serve as coordinator of non-discrimination compliance for staff and faculty. The Director of Institutional Equity and Compliance and Title IX Coordinator serves as coordinator of compliance for Title IX (sex discrimination) issues and questions for students. Inquiries or complaints related to sex discrimination (including sexual harassment, sexual orientation, and/or pregnancy) or other forms of discrimination/harassment (e.g., race, color, national or ethnic origin, disability, age, military service) should be directed to: Leslie Lenser (Employee Issues/Complaints), Chief Human Resources Officer and Deputy Title IX Coordinator, Fidelity Hall, Room 426, 1900 Belmont Boulevard, Nashville, TN 37212. Phone: 615.460.6456. Email: [leslie.lenser@belmont.edu](mailto:leslie.lenser@belmont.edu). Carly Elliott (Student Issues/Complaints), Director of Institutional Equity and Compliance and Title IX Coordinator, Freeman Hall, 3rd Floor, 1900 Belmont Boulevard, Nashville, TN 37212, Phone: 615.460.6894. Email: [carlyelliott@belmont.edu](mailto:carlyelliott@belmont.edu)