



MONMOUTH UNIVERSITY MISSION STATEMENT

MONMOUTH UNIVERSITY is an independent, comprehensive institution of higher education committed to excellence and integrity in teaching, scholarship, and service. Through its offerings in liberal arts, science, and professional programs, Monmouth University educates and prepares students to realize their potential as leaders and to become engaged citizens in a diverse and increasingly interdependent world.

POLICIES



Not sure how to add a class?

*Want to learn about housing
at Monmouth?*

*Do you have a question about the
student code of conduct?*

This section will provide you with current information regarding Monmouth University's policies and procedures.

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UNIVERSITY POLICIES

ACADEMIC POLICIES

For information regarding academic policies, undergraduate students should refer to the online 2011-2012 Undergraduate Catalog. For information regarding academic policies, graduate students should refer to the online 2011-2012 Graduate Catalog. Both the Undergraduate and Graduate Catalogs are available through WEBstudent.

ADVERTISING AND SOLICITATION POLICIES

The soliciting of advertisements or space in a student publication other than the University newspaper and the radio station must be referred to the Vice President for Student and Community Services.

Use of any bulletin boards or authorized advertising space does not constitute an endorsement or guarantee of any product, service, or information by Monmouth University. All advertisements hung in campus buildings must be approved by the Office of Student and Community Services. The Office of Residential Life must approve all posters, leaflets, or announcements to be placed in the residence halls.

No posting or solicitation shall be placed on or in any vehicle on campus. No posting shall be done to any trees, street lamps, poles, signs, building exteriors, or other objects on the campus.

ADVERTISING OF ALCOHOL

No advertising will be allowed for any and all off-campus events featuring the consumption or purchasing of alcohol. This includes but is not limited to parties at homes, bar nights, club socials at bars, etc. No fliers or advertising of any kind by a bar or by student organizations sponsoring an off-campus "Bar Night" may be placed or distributed in residence halls or put on cars. Violators are subject to fine and/or disciplinary action.

[On-Campus Events With Alcoholic Beverages](#)

Advertising must adhere to the guidelines established in the Campus Advertising Policy, with this exception:

No advertising or other publicity for an on-campus event at which alcohol will be served shall be distributed or posted until after a University Alcohol Permit has been granted. There shall be no advertising or other publicity for such events distributed or posted off-campus.

SOLICITING/CANVASSING

1. All groups (students and off-campus) wishing to solicit/canvass on campus must register through the Office of Student Activities and Student Center Operations to approve or disapprove the request, in consultation with appropriate University personnel, when necessary. If it is disapproved, an appeal may be made in writing to the Vice President for Student and Community Services. Final decisions will be based on appropriateness and availability of space in the Student Center or campus.
2. Solicitation is defined as the selling or distribution of a product, service, or information (e.g., leaflets, surveys, petitions) or as the collection of monies unrelated to college business. All bake sales and raffles by student groups must be authorized by the Office of Student Activities.
3. Permission to solicit does not constitute an endorsement or guarantee of any product, service, or information by Monmouth University.
4. Any use of the Monmouth University name, either directly or indirectly, must be approved by the President of the University. Contact the Office of Student and Community Services for assistance.
5. The seal of the University may never be used for solicitation or canvassing purposes.
6. A table reservation form must be filled out at least two weeks in advance with the student activities office. The table will be reserved on the first floor of the Student Center. The space is limited and is subject to availability.

Exceptions may be considered for solicitation in other areas on an individual basis. Normal times are Monday through Friday, 9 a.m. to 3 p.m. Extensions may be granted by the student activities office in conjunction with the Vice President for Student and Community Services.

Soliciting and Commercial Enterprises

No general soliciting or canvassing is permitted in the residence halls. The presence of unauthorized persons soliciting any kind of product, service, or merchandise or attempting to collect money for such should be reported immediately to the Monmouth University Police, residence hall staff, and the Assistant Vice President for Student Services. Also, any person who approaches a student with the intent to use that student in any intended solicitation should also be reported immediately. The latter often occurs over the telephone. The solicitation for sale and/or delivery of alcoholic beverages in, to, on, or around residence hall premises and buildings is prohibited. This includes such by both students and any retail or wholesale distributor, whether on residence hall premises or off campus (e.g., by telephone). State law and local ordinances prohibit the use of student residence hall rooms for commercial purposes. Students are to use their rooms for living purposes only. The use of a University or residence hall address, or the use of a residence hall room, for the purpose of conducting any commercial enterprise or the listing of such a business address is prohibited by both law and University policy.

Student Center Posting Policy

The Monmouth University Student Center is considered the “living room” of the campus. It is used by and for the Monmouth University community to host lectures, workshops, meetings, and events. It is also a place where people gather to eat, socialize, study, and relax. The Student Center maintains this balance by presenting an environment that is friendly and inviting, one that celebrates the University’s diversity of culture and ideas through positive expressions. Since the Student Center is one of the main “resource” locations on campus, it is important that any advertisements posted in the Student Center meet certain guidelines. The following regulations detail the Student Center’s policies for posting advertisements in the building.

1. All advertisements must be approved and posted by the Office of Student Activities and Student Center Operations or the Office of Student and Community Services Monday through Friday, 8:45 a.m. to 5 p.m.

Any items not stamped or hung by the Student Center staff will be removed.

2. Materials posted cannot exceed 18 inches x 24 inches.
3. The Student Center staff will post all advertisements. Advertisements dropped off at the Student Activities office will be posted in the Student Center within 24 hours. Also, the Student Center staff will be responsible for removing all advertisements.
4. Advertisements can hang for up to two weeks or until the occurrence of the event, whichever is first.
5. There will be separate bulletin boards for different categories of advertisements including:
 - (4) Student club/organization or campus-sponsored events and meetings.
 - (2) Housing issues (e.g., roommate wanted, room for rent, etc.).
 - (1) Items for sale and help wanted.
 - (1) Off-campus events.
 - (1) Miscellaneous ads (e.g., LSAT, GMAT, educational trips, etc.).
6. Posting is NOT permitted on the exterior of the Student Center or on or around the glass exterior of the Student Center doors, unless pre-approved by the Student Activities office.
7. There will be no posting of alcohol-related events, obscenities, slanderous material, or material containing racist or sexist statements. This would include, but not be limited to advertisements which show/promote nudity, violence, racism, sexism, etc.
8. There will be no posting of notices or fliers that support or endorse candidates for political office.

9. Use of any bulletin board or authorized advertising space in the Student Center does not constitute an endorsement or guarantee of any product, service, or information by the Student Center or Monmouth University.

ALCOHOLIC BEVERAGES POLICY

The Division of Student and Community Services at Monmouth University is committed to the educational and social growth of students within the University's community. On campus, students and their guests interact through a variety of programs and activities. The purpose of these events is to promote a healthy social experience on campus. The misuse and abuse of alcohol in whatever form is inconsistent with this purpose. The University encourages and supports students who abstain from the use of alcoholic beverages. It acknowledges that we live in a social environment which establishes by law a minimum age for the use of alcohol (21). Monmouth University does permit the consumption of alcohol on campus provided the guidelines established by the University, and departments within, are followed.

This policy has been established to regulate the use of alcohol on Monmouth University property or in University-owned or -sponsored housing and to promote the responsible conduct of Monmouth University students with regard to such use. In addition, Monmouth University students are expected to follow the laws of the state of New Jersey off campus as well involving the use of alcoholic beverages. Students violating local and state alcoholic regulations off campus will be disciplined under the Student Code of Conduct. We recognize the need for order and regulation in this process and will not tolerate disruptive behavior or conduct that infringes upon the rights of those who wish to pursue their academic interests as responsible members of this community. The specific ramifications of violating this policy are outlined and specifically noted in the University's Student Code of Conduct.

The Basics

A. New Jersey State Law

1. No one under 21 years of age may purchase, possess, or consume alcoholic beverages.
2. Transportation of open alcoholic beverage containers in any kind of vehicle on or off campus is a violation of state law. The transportation of alcoholic beverages by persons under 21 on campus is strictly prohibited. No person, regardless of age, may consume alcoholic beverages in public areas of the campus unless specifically approved by the Office of the Vice President for Student and Community Services.
3. The attorney general has defined public areas as including residence hall entrances and lobbies, lounges, hallways and stairwells, or common grounds of a college or university to which the general public by specific or implied invitation has access, and in which an individual could have no expectation of privacy.
4. The sale or distribution of alcoholic beverages to persons under the legal drinking age is a serious criminal offense. Individuals can be held liable to

both criminal and civil action (i.e., lawsuits for damages and negligence) for the injury or death of any person resulting, either directly or indirectly, from the distribution of alcoholic beverages by them to a person under the legal drinking age.

B. Definition of Alcohol

1. This policy has been designed to ensure a uniform application and understanding. The definition of “alcoholic beverage” is to be interpreted in the broadest sense. Therefore, alcohol and alcoholic beverages are defined as any beverage which has an alcohol content. This would include but not be limited to all forms of beer, wine, wine coolers, and distilled spirits.

C. Jurisdiction and Violations

1. The Alcoholic Beverages Policy shall apply to every function and event, including but not limited to receptions, banquets, dinners, picnics, or any outdoor event, social event, and campus-wide activity sponsored by organizations or individuals associated with Monmouth University. All events must be registered and regulated as outlined below.
2. This policy shall be in effect during all periods of the year including the summer.
3. Student violations of this policy will be reviewed under the jurisdiction of the Student Code of Conduct, and appropriate sanctions apply. Applicable sanctions are outlined within the Code of Conduct. Violations by other constituencies, within the University, will result in a loss of future approval for alcohol-related events for a prescribed period of time.
4. This policy shall apply to all Monmouth University students who violate New Jersey state law within local municipalities.
5. This policy shall apply to all University-owned or -sponsored housing.

Restrictions on Quantity

1. Kegs, beer balls, and similar products are prohibited on University property. Kegs and beer balls as well as taps will be subject to confiscation by University officials should they be discovered. Kegs, beer balls, and taps will not be returned to the person(s) from whom they were confiscated. This applies to full as well as empty containers.
2. Only cash bars will be permitted and approved for student events.

Personal Consumption Within University Housing

1. Possession or use of alcohol in any form, including being in the presence of alcohol, is strictly prohibited in any University-sponsored housing by all students who are under the age of 21. This restriction applies to all students of Monmouth University, their guests, and members of their families.

2. Only students who are at least 21 years of age and their guests who are at least 21 years of age may possess or consume alcohol on campus in designated areas. Under no circumstances shall students who are at least 21 years of age possess or use alcoholic beverages in any form in any University housing designated for first-year students or as a “dry” hall. Students must present a valid ID to University personnel upon request. No alcohol is allowed to be consumed in the presence of roommate(s), apartment mate(s), and/or guest(s) under the age of 21.
3. Alcoholic beverages are permitted only in the assigned residence hall rooms or apartments of students 21 years of age or older.
4. Alcoholic beverage containers must be sealed and concealed from public view when transported on campus.
5. Intoxicated individuals may not be served alcoholic beverages.
6. All forms of excessive consumption of alcoholic beverages is prohibited. This includes, but is not limited to, participating in or encouraging and/or coercing drinking games, alcoholic consumption against one’s will, and binge drinking.
7. The possession of and/or use of devices or engaging in activities designed for group and/or excessive consumption of alcoholic beverages is prohibited. This includes, but is not limited to, punch bowls, beer pong, funnels, and/or shot blocks.

Registration and Regulation of Events: Policy Implementation

1. Any event at which there will be alcoholic beverages must be authorized by the Vice President for Student and Community Services. A request for authorization must be made two weeks in advance of the event. All individuals at an authorized event must be of the legal drinking age (21) to possess, consume, or transport alcoholic beverages.
2. All wine and cheese parties, theater receptions, pre- and post-game activities for athletic events, homecoming and reunion activities, and all other events where the consumption of alcohol has been authorized must comply with all hosting responsibilities outlined in this policy, as well as approved University tailgate guidelines and regulations. These regulations are available through the Office of the Vice President for Student and Community Services.
3. No event involving alcohol will be permitted within University housing on the north side of campus, nor within the Quad or other open areas of the north campus.
4. Unauthorized consumption, possession, selling, or serving of alcoholic beverages is prohibited.
5. Any person who is authorized to host an event with alcohol must follow all guidelines established by this policy and adhere to the section entitled “Hosting Responsibilities for an Event.”

6. The Vice President for Student and Community Services may suspend the privilege of serving alcoholic beverages on the campus by any group or organization for any time period considered appropriate when there is evidence that the group or organization has failed to cooperate with the University in achieving the objectives of this alcohol policy.

Hosting Responsibilities for an Event

Any person(s) who is authorized to host an event is responsible for the following:

1. Make appropriate arrangements to obtain all applicable permits and complete and submit a Monmouth University Alcohol Contract. A copy of these materials must be submitted to the Office of the Vice President for Student and Community Services at least two weeks in advance of the event.
2. If alcoholic beverages are being served at an event either through the cost of admission or on a cash basis, a permit from the New Jersey State Division of Alcoholic Beverage Control may be required. The cost associated with the attainment of such a license will be the responsibility of the host. The Office of the Vice President for Student and Community Services will assist a host in applying for such a license, and the license application must be made four weeks in advance of the event.
3. Ensure that those persons consuming alcoholic beverages are of legal age.
4. Provide adequate safety and security as determined by the Vice President for Student and Community Services in consultation with the chief of University Police and the event's sponsor.
5. Ensure that the consumption of alcoholic beverages will take place only during the time frame authorized by the Vice President for Student and Community Services and within the designated area. The event must stop serving alcohol at least one half hour before the time that the event is scheduled to end. Any deviation from the established time frame or designated area will be a violation of this policy.
6. Ensure that provisions are made to regulate portions of alcoholic beverages that will be served during an event. Intoxicated persons should not be served. In addition, "drinking games" and shots are strictly prohibited.
7. Acquire the alcohol provided for the event through the University's Dining Service contract or via any means deemed appropriate by the Vice President for Student and Community Services.
8. Issue wristbands at the entrance of the social event to all those persons of legal drinking age. Persons who are not wearing wristbands are not permitted to possess or obtain alcoholic beverages.
9. Be responsible for the care of the facility and make all arrangements to have the area cleaned.
10. Ensure that all state and local laws with regard to the possession or consumption of alcoholic beverages are being complied with. Failure to do

so will result in disciplinary action against the host of the organization or the organization itself.

11. The host or a designee must be present at the event throughout the entire period that alcohol is being served or consumed. There are no exceptions to this policy.

Prohibition of "Open" Events and Consumption

1. All University events on campus that involve the consumption of alcohol are limited to the members of the University and their invited guests.

Education and Prevention

The education and prevention regarding the use and misuse of alcohol is a responsibility that is shared by the entire campus community. To ensure an understanding of this policy and compliance, the University has established a variety of programs and mechanisms to promote responsible consumption of alcohol and provide for adequate education regarding the effects of alcoholic beverages.

To accomplish this:

1. The prevention of behavior that violates this policy and the abuse of alcoholic beverages will be coordinated by the Division of Student and Community Services.
2. The University will provide resources and time for the prevention of, and the education concerning, conduct that violates this policy. The University will provide information to deans, Student and Community Services personnel, directors, student organizations, and staff regarding: student rights and responsibilities concerning this policy, the availability of personal counseling regarding alcohol abuse, and the opportunities for alcohol-free sponsored events and programs.
3. The University will provide training to those students who work in a variety of "peer helping" roles on the University's campus that encompass referrals, resources, and methods for handling conduct covered in this policy.

Amendments to this Policy

All requests for amendments to this policy must be directed to the Office of the Vice President for Student and Community Services for consideration. Any changes to this policy will be made in accordance with policy implementation as outlined in the Student Handbook.

Look below under "Sanctioning Guidelines" for other information regarding disciplinary action.

Sanctioning Guidelines for Violations of the Alcohol Policy

The following sanctions will be in effect for students found responsible for violating the Monmouth University alcohol policy.

The University reserves the right at any point in the range of offenses to impose sanctions deemed appropriate, in addition to or in place of sanctions listed below. Additionally, the University reserves the right at any point in the range of offenses to request students to seek a formal alcohol evaluation as deemed necessary by the Director of Counseling and Psychological Services, the Coordinator of Substance Awareness, and/or the Vice President for Student and Community Services or their designee. In all cases, the University reserves the right to prosecute criminally for violation of policies concerning alcohol and drugs.

Use, Possession, Distribution, and/or Being in the Presence of Alcohol for Those Individuals Under 21 Years of Age

First Offense:

1. Minimum \$100 fine (depending upon quantity) and/or a service work assignment.
2. Assignment to an on-campus educational program. (Failure to complete this program will result in an increased fine as well as an alternative assignment to be determined by the Vice President for Student and Community Services or her designee.)
3. Parental notification. (Applicable when a summons for a violation of state law or borough ordinance is received.)

Second Offense:

1. Minimum \$200 fine. (no exceptions)
2. Educational and/or service work assignment.
3. Parental notification.
4. A mandatory meeting with Monmouth University's Substance Awareness Coordinator.
5. Arrest by the MUPD and face criminal prosecution for violations that occur on campus.

Third Offense:

1. One semester suspension from the University. Readmission contingent upon review by the Vice President for Student and Community Services in consultation with the Coordinator of Substance Awareness and the Director of Counseling and Psychological Services.
2. Parental notification.
3. Arrest by the MUPD and face criminal prosecution.

These sanctions were both initiated and endorsed by the Monmouth University Student Government Association.

Parental Notification:

The Family Educational Rights and Privacy Act (FERPA) permits colleges and universities to inform parents/guardians of students under 21 years of age when their student has been found in violation of university alcohol and drug policies.

The Office of Student and Community Services will notify parents/guardians of students under 21 years of age when a student is found responsible for (1) a violation of the drug policy, (2) a second violation of the alcohol policy, and (3) on the first violation of the alcohol policy when one or more of the following occurs:

- a summons for a violation of state law or borough ordinance is issued
- the student demonstrates a reckless disregard for his or her personal safety or the safety of others
- medical attention to any person, including the student, is required as a result of the student's alcohol related behavior
- the student operates a motor vehicle under the influence of alcohol

Violations of the Alcohol Policy by Students 21 Years of Age or Over

Consuming alcoholic beverages in public areas as defined in the Student Handbook:

First Offense: Warning.

Second Offense: Fine of up to \$200.

Distribution to Individuals Under 21:

First Offense: Up to \$200 fine and ten hours of community service.

Second Offense: Criminal prosecution; fine up to \$500 and 20 hours of community service.

Recommended Actions for Noncompliance with Sanctions:

The student will receive a written warning of noncompliance. To insure that the student will receive the letter, it will be delivered by either certified mail, via e-mail with a read/received receipt, or hand delivered by a member of the residential life staff.

If there is continued noncompliance, nonresident visitation privileges will be suspended for one semester. A resident student will be suspended from the residence halls for one semester.

CHANGE OF ADDRESS

For information regarding a change of address, students should refer to the online 2011-2012 Undergraduate and Graduate Catalogs.

CLOSING

Except in unusual cases, the University will hold classes regardless of weather conditions. Students who are absent from classes because of impassable roads or dangerous traveling conditions will not be penalized for such absences. In cases when the University is closed, announcements will be made over radio stations

WJLK 94.3 FM, Monmouth County; 98.5 FM, 107.1 FM The Breeze, 1010 WINS AM, Ocean County; 1310 AM; WCTC 1450 AM, New Brunswick; WMGQ 98.3 FM, New Brunswick; WOR 710 AM, New York; WMCX 88.9 FM, West Long Branch; WRAT 95.9, Pt. Pleasant; WOBN 92.7, Ocean County; and 101.5 WKXW, Trenton. Information will also be on television on News 12 New Jersey and on WNBC channel 4.

Monmouth University has established a Weather Emergency Information Line, 732-263-5900. During times of severe weather and when it is possible the University may close, this line will have a prerecorded message with pertinent information for students and staff. If the University must close or cancel classes, a message will be sent to all employees and resident students via the campus email system. In addition, this information will be posted on the main page of the Monmouth University Web Page (<http://www.monmouth.edu>).

Monmouth University will notify you by telephone via the Blackboard/Connect-ED[®] Emergency Notification System. You are urged to enroll in this system by logging into <http://notify.monmouth.edu/> to register. You will be required to enter your Monmouth University User ID and password. This program is offered at no cost to you. Students are automatically enrolled in Connect Ed if they provide his/her cell phone number.

COMMUNITY STATEMENT ON CIVILITY

The Monmouth University community is an environment where teaching and learning activities are paramount, both inside and outside of the classroom. In order to foster this environment, respectful conduct and discourse must be the basis for all of our actions.

Members of the University community are expected to act in a responsible, respectful, and professional manner at all times, affirming their commitment to a collegial community. Faculty and students should enter into a dialogue at the start of each semester to develop classroom behavior parameters suitable for their individual learning environment.

Members of the faculty are ultimately responsible for what occurs inside the classroom environment. If, after suitable dialogue, a consensus on behavioral parameters cannot be reached, the faculty member's decision on these is final.

Outside of the classroom environment, all students are expected to abide by the parameters outlined in the Student Code of Conduct. Other members of the community are expected to follow appropriate behavior guidelines as well. Appeals will be handled through appropriate University channels.

COMPUTER RESOURCES FOR STUDENTS: POLICY AND PROCEDURES

IMPORTANT NOTICE

The Student Computer Resource Policies and Procedures shall be distributed and adhered to by all student users of computing resources. Any student who violates the policy is subject to disciplinary action by Monmouth University and possible legal action under the laws of the State of New Jersey and/or the Federal Electronic Communications Privacy Act. For more information on computer resources and/or

policies and procedures, contact the Information Management Help Desk at ext. 3539.

A. Responsibilities of Information Management (IM)

1. Resource Access

The IM staff provides student access to existing standard software for the University community through the general computing labs, computing classrooms, and networks. Hardware and software licenses that affect facilities in the student computing labs and computer classrooms will be administered by IM. Unlicensed or unauthorized software is not permitted on Monmouth University's computers.

2. Computing Resources

Monmouth University's computing resources are provided for the use of current Monmouth University students for academic purposes. The Information Management Division manages the resources for the mutual benefit of all. Computing resources include labs used for general computing, computer classrooms used for instructional purposes, and the campus network and computing infrastructure. Access to and use of these facilities and resources are contingent upon compliance with these policies and procedures as well as other applicable University rules and policies.

3. Disclaimer

The staff of IM will make every effort to ensure the integrity of the computer resources and the information stored thereon. However, Monmouth University is not responsible for the loss of information from computing misuses, malfunction of computing hardware, malfunction of computing software, or external contamination of data or programs. Backup of important data is strongly recommended.

4. User Accounts

Students will receive user accounts from IM in accordance with current procedure. Students who have graduated will have their accounts removed from the system.

Only currently enrolled Monmouth students are permitted to access the computing resources and to use the computing labs.

Students are expected to report unauthorized use of accounts or known abuse of a computing resource to IM. Questions on policies for correct use of Monmouth University's computing and networking resources should be directed to IM.

5. Remote Access

The University has installed an Internet firewall to block unsolicited traffic from coming into the campus network. In most cases, users attempting to access the system through an Internet service provider (ISP) will be blocked.

B. Responsibilities of User

1. Appropriate Use

Appropriate use of Monmouth University's computing resources includes the efficient and productive use of resources for their intended purposes: computation and communication appropriate to the goals of the University. These include instructional, research, or University-related activities, and communications with faculty and others. All hardware and software related to computation and communication within the University setting must be shared in an equitable manner. Users of computing and networking resources must conduct their computing activities in an efficient, ethical, and legal manner that does not interfere with the rights of others and conforms to all computing license agreements. Use of University resources for recreational and personal use is permissible as long as the resource utilization does not interfere with the academic or administrative use of the equipment or otherwise prevent others from using the equipment for academic or other non-recreational purposes. Illegal peer to peer file sharing or the downloading of copyrighted materials is strictly prohibited.

2. Ethical Use

Computing resources must be used in a manner that reflects consciousness of the rights of others. In this context, the student is reminded of the Student Code of Conduct published in the Monmouth University Student Handbook and posted on the University Web site. Use of the system in a manner that violates any policy published in the Student Handbook, or that deliberately diminishes or interferes with the use of the system by others, is strictly forbidden.

a. Licensing

The use of software at the University is governed by the terms of licensing agreements between the University and the software licensors, and users must abide by the terms of those agreements. The use of such proprietary software may also be subject to copyright or patent restrictions as defined in the license agreements. Users may not copy, disclose, transfer, or remove from the computing labs any microcomputer software issued to I.M., including programs, applications, databases, codes, or manuals. Users must return to the I.M., faculty, or administrator any licensed software diskettes issued through I.M. Illegal copies of proprietary software in use on Monmouth University equipment will be subject to immediate confiscation and the referral of such incidents to the IM Division.

b. Sexual Harassment/Pornography

Any use of the computing resources for the creation, display, storage, or transmittal of sexually explicit, pornographic, harassing, abusive, or other similar material or communications shall be considered a violation of the Student Code of Conduct and shall be referred to the Vice President for Student and Community Services for appropriate action.

c. Academic Honesty

Any use of the computing resources to commit academic dishonesty shall be considered a violation of the Student Code of Conduct and shall be referred to the Vice President for Student and Community Services for appropriate disciplinary action.

d. Privacy

Students must not intentionally seek information on, obtain copies of, or modify files, passwords, or any type of data or programs belonging to another user unless specifically authorized to do so by the account owner for a specific purpose.

Interception of network transmissions and analysis of network usage is strictly forbidden. Users should be aware of the following:

- It may be possible for individuals to obtain unauthorized access to the facilities, or to other users' electronic mail or files.
- Monmouth University may be ordered by a court of law to surrender communications that have been transmitted over the University network.
- Students' deleted emails are purged after 30 days.

3. Passwords

Users are responsible for their own data and accounts. Anyone who shares his/her password is responsible for any actions taken by someone using their password. Individuals who allow others to use their accounts may lose their access privileges. Users must reset their password when logging on to all systems for the first time. Users who forget their password must come to the HELP desk at Information Management and present two forms of identification (one with photo) before a new password will be issued, or use the telephone password reset on line.

4. Internet Usage Guidelines

Commercial use of the University's computing resources is strictly forbidden. The Internet is not a secure network and should not be relied upon for transmitting confidential or sensitive data. Monmouth University cannot be held responsible for the loss of data or lack of confidentiality. Transmitting large files is not recommended during regular business hours. It is suggested that users transmit such data during off-peak hours if possible. Random electronic mailings (junk mail or "spam") or repetitive mailings for the purpose of annoying someone are prohibited.

5. Virus Protection Warning

The University recommends scanning all files for malware that may erase or damage files or disrupt the network.

6. Lab Environment

Each computer user has the right to a reasonably quiet environment in the computing labs. Each user is expected to exercise good judgment regarding noise levels in consideration of others. Lab attendants and consultants are responsible for maintaining the appropriate lab environment.

All users also share the responsibility for maintaining a clean environment. No food or drink is permitted in any of the computer labs, including the teaching labs. Smoking is prohibited.

C. Violations and Sanctions

1. Violations

Monmouth University treats the abuse of computing facilities, equipment, software, information, networks, or privileges seriously. Users who violate the policies outlined in this document and/or the Student Code of Conduct and IM-related regulations are subject to sanctions according to the nature, severity, and number of their offenses.

If a student is found in violation of a computer-related act by the disciplinary processes outlined in the Student Handbook, Information Management retains the right to deny future computing privileges to all computing facilities should it be in the interest of the University to do so. Users may also be subject to further disciplinary action such as, but not limited to:

- legal action by the owners and licensors of proprietary software for violation of copyright laws and license agreements
- prosecution according to New Jersey and federal law

COMPUTER USE POLICY

The University provides a number of computers and computer workstations throughout the campus for use by its students. The use of these computers is regulated by the Monmouth University Information Management Policies and Procedures Manual. Violations of any of the policies and procedures within this manual will subject the student to discipline under the Student Code of Conduct.

Students should pay particular attention to the following sections within the manual:

1. policies and procedures concerning software copyright
2. policies and procedures regarding EDUCAUSE code
3. policies and procedures concerning the appropriate use of computer resources
4. policies and procedures regarding e-mail etiquette

CONTRACTS

No students may request or sign contracts for their organizations. Organization advisors or the Office of Student Activities must request all contracts. The University General Counsel must review all contracts and the Vice President for Student and Community Services must sign all contracts. Contracts signed by students will not be honored, and the student signing such contract will be held legally responsible.

DISABILITIES

[Procedures for Requesting Accommodations](#)

Services are available to students with disabilities through the Department of Disability Services for Students. Students seeking accommodations should contact that office at 732-571-3460.

A copy of the University policy and procedures regarding accommodations can be obtained through the above mentioned offices, the ADA/504 coordinator (Wilson Hall, room 307), or through the Monmouth University home page by clicking on "Campus Life." Refer to page 28 for additional information regarding Support Services for Students with Disabilities.

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION

Monmouth University supports equal opportunity in recruitment, admissions, educational programs, and employment practices regardless of race, color, age, sex, disability, veteran status, religion, marital status, national origin, or sexual orientation. The University also complies with all major federal and state laws and/or executive orders requiring equal employment opportunity and/or affirmative action.

In addition, Monmouth University will exercise in good faith reasonable affirmative actions to ensure the representative recruitment and employment of all persons without regard to the aforementioned characteristics.

Any member of the Monmouth University community may bring a complaint of alleged discrimination to the attention of the director of Affirmative Action, Human Relations, and Compliance. A copy of the University-wide policy on discrimination and sexual harassment, which describes the procedure for resolving such complaints, may be obtained from the Office of Student and Community Services and the Office of Affirmative Action.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) of 1974 establishes the right of all students to limited access to certain records and information; to review, seek correction of, and add explanations to records; and to receive a hearing on allegations of violations. The University may not require a waiver of these rights in its admission, academic, or service requirements.

Information such as grades, financial records, and financial aid records may be released to parent(s) of Monmouth University students who are dependents of their parents as defined by the Internal Revenue Service (IRS), provided that the parent(s) furnishes proof of such dependency, or the student completes a "FERPA Waiver Release" form. The FERPA form is available through WEBstudent.

Directory Information: Directory information may be released by the University without the student's permission unless the student states, in writing, within the first two weeks of the fall semester (or within the first two weeks of the spring semester for students entering Monmouth in the spring semester), that he or she does not want his/her directory information released. This request should be submitted using the "FERPA Do Not Disclose" form, which is accessible from WEBstudent. Student requests to keep directory information confidential are permanent and therefore will

remain in effect unless rescinded by the student. Directory information consists of the following information:

- student's name
- class level
- registered credits for the current term
- major field of study
- participation in recognized activities and sports
- biographical data for public relations purposes
- dates of attendance at Monmouth University
- degree and awards received at Monmouth University
- photographs of student
- most recent previous educational institution attended
- veteran status
- telephone number
- address (including official student e-mail address)
- birthplace
- birth date
- degree candidacy
- degree status
- student ID number

A copy of "FERPA Policy for Students," developed in support of the Family Educational Rights and Privacy Act, may be inspected at the Office of Registration and Records, Wilson Hall, Room 208. It is also available online at www.monmouth.edu/registrar/procedures/ferpa_policy.asp.

FIREARMS POLICY

New Jersey statute prohibits the possession, storing, or use of firearms on any college or university campus within the state. Therefore, firearms, including fireworks, are prohibited on campus. Students found to be in possession of any firearm, loaded or unloaded, are subject to suspension or expulsion and criminal prosecution.

FUNDRAISING

No student or group may solicit funds for its own use or for any community or charitable purpose without permission of the Vice President for Student and Community Services and the Vice President for University Advancement. The Office of Student and Community Services will be happy to assist students in obtaining permission to raise funds for their use or a charitable purpose. Monies raised must be

deposited in campus accounts immediately after the fundraiser, and proof of deposit will be required.

The Office of Student Activities and Student Center Operations and the Student Government Association encourage all student organizations to actively raise funds for their organization's use. In order to assure that any fundraising activities are not considered suspect with regard to prize distribution or financial misappropriations, all student organizations are required to adhere to these fundraising guidelines.

1. All student organizations interested in raising funds via sales or contests must complete a fundraising request at the Office of Student Activities and Student Center Operations to gain official approval and table/building space.
2. If the fundraiser is an event-type program (i.e., dance, show, etc.) or a raffle, an appointment must be made with the Director of Student Activities to review plans and discuss expenses. Raffles require a license from the Borough of West Long Branch. The Office of Student Activities can assist you with the application. Applications may take up to eight weeks to approve.
3. Once the fundraiser takes place, the organization must come back to the Office of Student Activities to inform the staff as to who won the contest or raffle and/or to report revenue earned from the fundraiser. This information is for the Office of Student Activities' records only. Student organizations will not be able to continue fundraising events until this information is provided. Also, failure to report fundraiser amounts may result in denial of future funding for organization projects.
4. No student group may solicit funds or items from off-campus sources for its own use or a charitable purpose without permission from the Vice President for Student and Community Services and the Vice President for University Advancement. The Office of Student Activities will be happy to assist students in obtaining permission to raise funds for their use or a charitable purpose.

GAMBLING

Students shall abide by the state and local laws regarding gambling.

GOOD SAMARITAN PRACTICE

The health and safety of students is of paramount concern to all at Monmouth University. Resources such as the University Police Department, Office of Residential Life, Substance Awareness, and the Health Center are available for students to seek assistance for themselves, and equally important, their fellow student. Recognizing there are times when students or members of a University organization find themselves in a position where medical assistance is needed to ensure the proper care of a person who is significantly intoxicated or under the influence of drugs, the University has established this Good Samaritan Practice.

This practice has been established to ensure that proper medical assistance and intervention is sought in these instances and not delayed for fear of punitive action by the University under the Student Code of Conduct. All students are expected to act first out of concern for themselves and others by contacting appropriate

University personnel, i.e., a Resident Assistant (RA), Residential Life Administrator (RLA), Hall Director or Head Resident, or the University Police to obtain emergency assistance.

Under the Good Samaritan Practice:

- Students and/or organizations that seek assistance from University, police, or medical authorities to address a situation involving a significantly intoxicated or under-the-influence individual(s) will not be charged with a violation of the university's alcohol and/or drug policy.
- The practice applies to both the caller and the subject of the call if they under the legal drinking age to consume.
- This practice does not, however, preclude the University or other appropriate authorities from taking disciplinary action for other Student Code of Conduct offenses which may be associated with the situation, i.e., vandalism, theft, physical or sexual assault, etc., or the University Police Department filing appropriate criminal charges.
- Individuals and/or organizations involved in a situation that falls under the Good Samaritan Practice will be required to complete certain educational and counseling initiatives which are intervention and prevention based. Failure to complete these activities would result in action under the Code of Conduct.
- Students and/or organizations that demonstrate a consistent and repeated pattern of such behavior, after appropriate intervention and education has been provided, will not be considered under this practice.

HAZING

Students should be aware that hazing violates campus regulations and state law. The following information has been prepared by the Office of Student Activities. The information is designed to assist members of the University community in understanding University and state positions on hazing activities. The information is intended to be educational and should not be viewed as all-inclusive in its content and definitions. Specific questions should be referred to the Office of Student Activities at 732-571-3586.

Statement on Hazing

Monmouth University recognizes that student groups and associations including, but not limited to, clubs and organizations, fraternities and sororities, and intercollegiate or club sport teams are an integral part of the University. They contribute to the academic and social experience of the students and the Monmouth community. This relationship carries with it certain rights of the University to protect and preserve an appropriate environment in which all students and student associations may operate. As such, all students are expected to conduct themselves as responsible members of the University community and to respect their fellow citizens. Any departure from these standards as defined in the Student Handbook, the national fraternity/sorority documents, and state regulations may subject any individual(s) or group(s) to disciplinary action.

Hazing: A Definition

The following act was passed by the New Jersey State Legislature in 1980 with regard to hazing and aggravated hazing under the New Jersey Criminal codes:

Hazing—A person is guilty of hazing, a disorderly persons offense, if, in connection with initiation of applicants to or members of a student or fraternal organization, he/she knowingly or recklessly organizes, promotes, facilitates, or engages in any conduct, other than competitive athletic events, which places or may place another person in danger of bodily injury. A person is guilty of aggravated hazing, a crime of the fourth degree, if he/she commits an act prohibited in subsection “a” that results in serious bodily injury to another person. Monmouth University and the IFC, MGC, and PHA define hazing as any action taken, created, or situated intentionally (on or off campus) to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities and situations include paddling in any form, creation of excessive fatigue, physical and psychological shocks, wearing apparel which is conspicuous and not normally in good taste in public, engaging in public stunts and buffoonery, and other morally degrading games or activities.

Examples of Hazing

Depending upon circumstances, these activities have at one time or another been construed as hazing by the courts and/or institutions of higher education. Such actions are often required or implied as conditions of inclusion or exclusion from a group, formal or informal. Thus, hazing may be perpetrated by individual(s), individual against group, or group against individual.

- a. Requiring calisthenics such as sit-ups, push-ups, running, or any form of physically abusive exercise.
- b. Forcing, requiring, or endorsing consumption of alcoholic beverages or any other drug.
- c. Requiring the ingestion of an undesirable, unwanted substance (e.g., spoiled food, drink concoctions, etc.).
- d. Requiring the carrying of items, such as rocks, bricks, or pumpkins.
- e. Scavenger hunts, treasure hunts, road trips, kidnappings, drop-offs, or any other such activities.
- f. Morally degrading or humiliating games and activities such as requiring members to sing in public or act like animals.
- g. Assigning or endorsing pranks such as borrowing or stealing items, painting property and objects, or harassing other individuals or groups.
- h. Deprivation of sleep.
- i. Blindfolding or hand-tying.
- j. Verbal harassment including yelling and screaming.
- k. Requiring any personal servitude such as running errands.

- l. Line-ups, kangaroo courts, or any interrogations not consistent with legitimate testing for information about history, purpose, or direction.
- m. Requiring new members to wear publicly, apparel that is conspicuous and/or not normally in good taste.
- n. Requiring new members to be branded.
- o. Requiring new members to answer phones or doors with chants, riddles, songs, or rhymes.
- p. Deceptions and/or threats contrived to convince the new member he or she won't be able to join the organization.
- q. Conducting activities that do not allow adequate time for study or sleep.
- r. Requiring new members to enter the house or building through a side door or entrance not normally used to enter.
- s. Requiring new members to yell when entering or leaving the house or building.
- t. Work projects without the participation of the full membership.
- u. Any action which would be perceived as inflicting physical abuse/harm to an individual, for example, paddling or throwing things at new members.

Please note: This list by no means covers all activities and actions that can be considered hazing. Should you have questions or desire clarification of any of these items, please contact the Office of Student Activities: stop by the Student Center, second floor office suite, or call 732-571-3586.

Approval of New Member Activities

The Office of Student Activities recognizes that while the University policy regarding hazing attempts to set appropriate standards for new member activities that support the state's laws against hazing and the University's standard of conduct, it is impossible to list every possible pledge activity.

Thus, it is recognized that the list of prohibited activities in the policy by no means covers all activities and actions which can be considered hazing. Furthermore, certain activities that technically fall within the above prohibited categories may be permissible if carried out within certain guidelines.

Therefore, in order to prevent organizations from engaging in hazing activities, while not overly restricting organizations from engaging in new member activities (which would not violate the principles of the institutional policy on hazing), the Office of Student Activities has established the following approval process:

1. If a fraternity or sorority is unsure whether a certain activity is permissible or if it believes that a planned activity technically violates the policy list of prohibited activities but should not be banned as a violation of this policy, it should be submitted as a written request for approval of the proposed activity to the Office of Student Activities.

2. The written request for approval shall set forth a full description of the nature of the proposed new member activity.
3. The Office of Student Activities will quickly review each written request and inform the organization in writing whether its request has been approved. The Office of Student Activities shall have authority to request further information or clarification and to place any appropriate conditions it believes necessary upon any such approvals.
4. If the request is approved, the organization and its members will not be charged with hazing for such new member activity so long as the new member activities conform to the description set forth in the written request and any conditions imposed by the Office of Student Activities. This protection will not apply for any activity that takes place prior to the receipt of approval from the Office of Student Activities or for any activity that falls outside the scope of the written request for approval or any conditions imposed thereon.
5. This procedure is being implemented on a trial basis and shall be subject to revocation if the Office of Student Activities determines that it is not operating in the best interests of the University community.

HUMAN RELATIONS PHILOSOPHY AND POLICY STATEMENT

Monmouth University affirms the inestimable worth and dignity of every individual, regardless of his or her condition in life. We affirm, further, the right of each person to develop to his or her full potential and to be judged on the basis of personal accomplishments. Finally, we believe that the achievement of full humanity is enhanced by experience of the human family.

We are committed to achieve and sustain a pluralistic environment recognized for its racial, cultural, and ethnic diversity, which is characterized by genuine mutuality, acceptance, affirmation of the strengths and contributions of differing individuals and groups, and a willingness to resolve disputes in a spirit of good will.

Monmouth University, through this philosophy and policy statement, seeks to create a pluralistic community in which people:

- are accepted and judged as individuals, independent of ancestry, social and economic background, sexual orientation, age, gender, physical characteristics, or personal beliefs;
- may freely engage in constructive academic dialogue and debate in classrooms and public halls, and pursue their social and private lives, uninhibited by discrimination, disruption, or harassment of any form;
- value, respect, and draw their intellectual strength from the rich diversity of other peoples of different races, cultures, religions, nationalities, and beliefs.

This affirmation and commitment will guide us in the challenging times ahead as we strive to achieve excellence in service, teaching, and scholarship.

INTERPERSONAL VIOLENCE STATEMENT

Monmouth University supports the right of its members to live, work, and learn in an environment free from any threat or actual physical violence between its members. The University seeks to create an environment where both people and property are protected from harm and intimidation. As such, incidents of physical violence or other such threatening behavior between students within a relationship or outside the context of a relationship which violates the spirit of this principle will not be tolerated by the University.

Students charged with, and found in violation of the Student Code of Conduct's prohibition of physical abuse, harassment, or threats of abuse face a variety of sanctions under the Code. In addition, students should be aware that under certain conditions, (roommates, suitemates, apartment mates or others living in the same environment sharing a common bath facility) violations of the Student Code of Conduct involving interpersonal violation may also violate the current Domestic Violence Act (NJSA 2C: 25-17 et seq) as dictated by the state of New Jersey.

LIBRARY: ACCEPTABLE BEHAVIOR POLICY

It is the policy of the Monmouth University Library to maintain an atmosphere conducive to reading, study, and research. Library users must refrain from the following unacceptable or disruptive behavior which impinges on the safety, rights, and needs of others.

Unacceptable Behavior:

1. Excessive noise such as loud talking, singing, or playing a musical instrument or radio.
2. Consumption of food, beverages, or tobacco products in unauthorized areas.
3. Mutilation or theft of University library's materials or property.
4. Disorderly, violent, or threatening behavior.
5. Loitering.
6. Illegal offenses such as indecent exposure, inappropriate sexual advances, or harassment (physical or verbal).

Users violating these requirements will be subject to the following:

1. Any individual exhibiting unacceptable behavior will be asked to curb such behavior and/or leave the library. If necessary, the University police will be called and appropriate action will be taken.
2. Information on each incident will be documented on a Security Incident Report and filed with the head of Library Security. This confidential information may be used in any decision to restrict the individual's future use of the library.
3. Any student who has violated this policy will also be reported to the Vice President for Student and Community Services for appropriate action.
4. Any faculty member who has violated this policy will also be reported to the Vice President for Academic Affairs.
5. Any other Monmouth employee who has violated this policy will also be reported to the Vice President for Administrative Services for appropriate action.

MOTOR VEHICLES

The police department monitors and enforces the parking and driving rules on campus. Rules and regulations are necessary to establish safe driving conditions and the orderly parking of as many vehicles as possible. You are required to drive safely and park only in authorized parking spaces.

All vehicles parked on campus must be registered with the University police and display a current and valid decal. All parking and traffic regulations must be obeyed. Failure to comply may result in a fine, your vehicle being towed, and/or your campus driving privileges being revoked. See the Parking and Driving brochure, available in the University Police Department or online at www.monmouth.edu/resources/mupd/parkingdriving.pdf for more information.

If four or more summonses are received and not paid, campus driving and parking privileges will be suspended and your student registration blocked. In order to restore campus driving privileges, fines must be paid in full. If placed on the revoked list more than once, you will be subject to disciplinary action and possible permanent loss of campus driving privileges. In order to participate in Commencement and receive your diploma and transcripts, all fines must be paid in full.

PAYMENT INFORMATION

Terms of Payment

Payment of fall charges are due in August, and spring charges are due in December. Specific dates are set annually. VISA, MasterCard, Discover, American Express and debit cards are accepted for payment.

Payments can be made online by electronic check or credit card by either:

- logging into your WEBadvisor account and select “Account Summary.” If you have a balance due, a button will appear at the bottom of the screen to allow you to make an online payment.
- or visiting the Monmouth University home page at www.monmouth.edu, select Campus Life, Office of the Bursar, then the Pay Your Bill link.

A student who becomes delinquent in payments due during the year may be barred from classes. Financial clearance must be met for a student to graduate, or receive transcripts, either official or unofficial (student copy).

If payment for tuition and fees, judicial fines, traffic fines, and telephone charges are not made as required, the student may not be allowed to register for future semesters/terms until the outstanding balance is satisfied. In addition, all collection costs and fees, including, but not limited to, attorneys' fees incurred by the University, will be paid by the student.

Tuition Payment Plan

To accommodate parents and students who prefer to pay for educational expenses in monthly installments, the following plan is available. The University reserves the right to alter the programs accepted from time to time.

The following organization is not affiliated with Monmouth University, and any questions regarding the tuition plans should be directed to their address: Tuition Management Systems, P.O. Box 842722, Boston, MA 02284-2722.
Phone: 1-800-356-8329; Web site: www.afford.com

PETS ON CAMPUS

Pets are not permitted in any area or building of the University. This applies to all types of animals including, but not limited to, the following: dogs, cats, snakes, fish, hamsters, mice, birds, lizards, insects, and spiders. Exceptions to this policy include:

- Student service dogs, as defined by the Americans with Disabilities Act of 1990, that have been coordinated with the Office of Student and Community Services and the Department of Disability Services for Students;
- Dogs that are in the process of being trained as a service animal, as defined by the Americans with Disabilities Act of 1990, by a student provided that this has been coordinated with the Office of Student and Community Services; and
- Assistance animals, as defined by the Fair Housing Act. These animals are restricted to a student's residence hall or other campus dwelling unit and must be approved by the Office of Student and Community Services. Assistance animals are not permitted access to other University facilities unless approved for such access by the Office of Student and Community Services.

Persons needing the assistance of a service dog, as defined by the Americans with Disabilities Act of 1990, will have full access to all University facilities.

REFUND POLICY

FOR WITHDRAWALS—Summer Sessions

Refunds, upon withdrawal from summer sessions, will be made according to the policy stated below:

- Students who withdraw from a four-week or six-week summer session within the first week of the session will receive 100 percent refunds. Withdrawals after the first week are not eligible for refunds.
- Students who withdraw from a nine-week or twelve-week summer session within the first week of the session will receive 100 percent refunds. Fifty percent refunds will be given if students withdraw from courses in the second week. Withdrawals after the second week are not eligible for refunds.

FOR COMPLETE WITHDRAWALS—Fall and Spring Semesters

Tuition and fees, including room and board fees, will be refunded upon complete withdrawal from all semester courses according to the policy stated below:

Students who withdraw completely from the University after the opening of classes will receive 100 percent refunds (less a \$500 cancellation fee as detailed in the Housing Contract) through the end of the first week of the semester. Students who withdraw completely after the first week of the semester will receive pro-rata refunds (less a \$500 cancellation fee as detailed in the Housing Contract) calculated on the basis of days enrolled through the sixtieth percent point in the semester. Example: For

a semester consisting of 75 days, the sixtieth percent point would be the 45 day. Note that weekends are not included toward days counted. Please refer to the academic calendar for semester start and end dates. Withdrawals after the sixtieth percent point in the semester are not eligible for refunds.

All refunds will be based on the official date of withdrawal, which is the date the completed withdrawal form or an e-mail message (e-mail must be from the student's University Hawkmail account and sent to registrar@monmouth.edu) is received by the Office of Registration and Records (ORR). The University encourages students to make notification of withdrawal in writing; however, verbal communication in the form of a phone call to the ORR will be accepted within the following guidelines:

- The call must be made during business hours (Monday through Friday, 9 a.m. to 5 p.m.)
- The call must be communicated by the student (not a parent or designate) directly to ORR personnel. Voice messages will not be accepted.
- Student must provide name, last four digits of his/her social security number, AND unique Monmouth student ID number.
- Telephone withdrawals will be confirmed by the ORR.
- The student is responsible for ensuring that the withdrawal is communicated to the ORR.

Pro-rata percentages are applied against tuition, comprehensive fee, lab fee, orientation fee, and room and board fees (less a \$500 cancellation fee for students who have contracted for housing). The resulting amount is then compared to any student payments that may have been made with the difference being the amount still due the University or the amount available to be refunded. There will be no refunding of monies paid for health insurance, books, supplies, damages, fines, or other fees not mentioned above. Any amount available for refund will be returned to its sources. Federal Title IV aid, state aid, and University aid will receive refunds prior to any refund being paid to the student.

IMPORTANT NOTICE FOR STUDENTS WITH FEDERAL STUDENT FINANCIAL ASSISTANCE:

Under new regulations that implement the Higher Education Amendments of 1998, students who completely withdraw from the University are responsible for repaying the unearned portion of loans and grants received in excess of charges to their student account directly to the Federal Government. Failure to return unearned grant funds to the U.S. Department of Education may result in the student becoming ineligible for financial aid in future academic years. Students who have been advised that they have unearned grant funds should contact the Office of Financial Aid, 732-571-3463, for information regarding making repayment arrangements with the U.S. Department of Education. Loans are to be repaid by the student in accordance with the terms of their promissory note.

If the amount of aid credited to a student's account at the time of withdrawal is less than the amount of aid earned based on the proportion of the semester that the student was enrolled, a post-withdrawal disbursement of aid can be made. If there are outstanding charges on the student's account, the University will make the post-withdrawal disbursement to the student's account. If there are no outstanding

charges on the student's account, the University must notify the student regarding the availability of the post-withdrawal disbursement. The student must inform the University within 14 days of this notification as to whether the student wishes to receive the post-withdrawal disbursement. No post-withdrawal disbursement will be made unless the University receives a response from the student within this time frame.

FOR PARTIAL WITHDRAWALS—Fall and Spring Semesters

All refunds will be based on the official date of withdrawal, which is the date the completed withdrawal form is received by the Office of Registration and Records (ORR). E-mail or verbal communication will not be accepted for communicating partial withdrawals to ORR. Only the completed withdrawal form will be accepted.

Full-time undergraduate students who are registered for 12 to 18 credits in the semester are not entitled to any refund when withdrawing from one or more, but not all, courses after the first week of the semester. If the student drops below 12 credits prior to the end of the first week of the semester, the student's status will be changed to part-time, and the student will be billed at the per credit rate. Full-time undergraduate students should note that enrolling for less than 12 credits may affect eligibility for financial aid. Those students who are registered for credits in excess of 18 will be entitled to refunds for tuition paid for credits in excess of 18 according to the partial withdrawal refund schedule for part-time undergraduate students and graduate students which follows below.

Part-time undergraduate students and all graduate students who withdraw from one or more courses during the semester while remaining registered for one or more courses are entitled to 100 percent refunds on the courses dropped if the courses are dropped during the first week of the semester or on the day following the first class meeting. Fifty percent refunds will be given if a student withdraws from a course during the second week. Withdrawals after the second week are not eligible for refunds.

Students who change housing and/or board arrangements during the semester while continuing as students at Monmouth University are eligible only for such refunds (less a \$500 cancellation fee as detailed in the Housing Contract) as established by the Office of Residential Life. Further information on this process is available from the Office of Residential Life at 732-571-3465.

RELIGIOUS HOLIDAYS

Because of the time constraints imposed by the University's Academic Calendar, it is necessary to schedule classes on several religious holidays, including Easter, Good Friday, Yom Kippur, and Rosh Hashanah. Students who intend to observe a holiday should inform the faculty member of an anticipated absence and make up any work missed during that class period.

SEXUAL ASSAULT POLICY AND PROCEDURES

Monmouth University affirms the right of its students to participate in a community which is conducive to learning and personal growth. In order for this to be achieved, the environment of the campus needs to be one in which students feel safe and secure in their surroundings and free to explore the variety of opportunities available

to them. Acts of sexual assault or sexual offenses pose a serious threat to this spirit of community, and as such, Monmouth University prohibits all forms of sexual offenses and will endeavor to address these issues in the following manner.

1. Notification Process

Students who may be victims of a sexual assault are encouraged to report the assault to the proper authorities as soon as possible. If the assault takes place on campus, the University Police Department should be notified immediately. Students are also encouraged to contact the Office of Counseling and Psychological Services and/or the Office of Student and Community Services. If the assault took place off campus, the local law enforcement agency should be contacted. Students are also encouraged to contact the Office of Counseling and Psychological Services and/or the Office of Student and Community Services in this case.

Students who are sexually assaulted by another Monmouth University student are also encouraged to contact the Office of Student and Community Services to report the assault. This will be helpful to have on record should a request be made that internal discipline charges be filed against the student for violating the Student Code of Conduct. Upon notification of the alleged assault, the University will issue letters of no contact to all involved parties unless the victim requests that this notice not be issued. No contact orders will be lifted upon review by the University.

Equally important, however, is the need for the student to seek medical attention immediately. The University Police Department can be contacted and will provide students with transportation to the Emergency Room at Monmouth Medical Center. It is critical that this be done right away to preserve evidence that may be needed to prove criminal sexual assault. If a student wishes to have someone accompany him or her to the hospital, the police should be informed and a psychological counselor for the Office of Counseling and Psychological Services or someone from the Office of the Vice President for Student and Community Services will be contacted to accompany him or her. Students who are victims of a sexual assault may report the assault to the University Police Department (if the act occurred on campus); to the local police department (if the act occurred off campus); the Office of Student and Community Services (if another student was involved); or any combination of these parties.

A psychological counselor for the Office of Counseling and Psychological Services or a representative from the Office of Student and Community Services will assist a student in notifying the proper authorities if the student requests assistance.

2. Procedures for On-Campus Disciplinary Action

A student who is a victim of sexual offense by another student has the right to request that charges be filed against that student for violation of the Student Code of Conduct. A sexual offense is defined as a sexually related civil or criminal offense recognized under state law.

The Assistant Vice President for Student Services or another judicial officer will conduct an investigation into the matter to ascertain the particular facts of the case. Both the student bringing the charge forward and the student charged

with the violation have the right to submit written statements as to their account of the matter.

If the officer determines that the matter requires a hearing, one will be scheduled and both the accused and the accuser will be present. In special circumstances, accommodations may be made to limit face-to-face contact between the accused and the accuser during disciplinary hearings. In addition, both parties to the matter are entitled to have a member of the University community with them to act as an advisor.

Any persons having specific knowledge of the matter will also be called as witnesses. At the conclusion of the hearing, when all testimony has been exhausted, a decision will be reached by the hearing panel. The victim and the accused will be notified in writing of the outcome of the disciplinary proceeding brought forth as a result of the victim's complaint against the alleged perpetrator of the sexual offense. Nothing in this section shall be interpreted to authorize disclosure to anyone other than the victim or accused.

3. Sanctions for Sexual Assaults

In accordance with the Student Code of Conduct, the following sanctions may be imposed by a hearing board or officer on a student found to have violated the sexual offense section in the code.

A. Fine—A monetary fine may be imposed as part of a student's sanction. Fines are payable within a prescribed period of time to the Office of Student and Community Services.

B. Disciplinary Probation—May include, but not be limited to, the possible exclusion or restricted participation in privileges or extracurricular University activities for a specified period of time including the possibility of more severe sanctions in the event of further violation of University regulations during the period of probation.

C. Education/Service Work—A requirement to participate in an educational program or to perform a number of service work hours. Included in this sanction may be a requirement to participate in a psychological consultation/assessment and/or counseling.

D. Residence Hall Probation—A defined period of time whereby a student living in residence is given an opportunity to modify his/her behavior without further violations.

E. Residence Hall Suspension—Separation from the residence halls for a defined period of time.

F. Residence Hall Expulsion—Permanent separation from the residence halls.

G. Suspension—Separation of the student from the University for a definite or indefinite period of time. This action will be on record in the disciplinary files of the Vice President for Student and Community Services.

H. Expulsion—Permanent separation of the student from the University. This action will be permanently recorded in the files of the Vice President for Student and Community Services.

I. Letter of No Contact—A directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, e-mail, electronic, telephone, or third parties.

4. Counseling Services

On campus, the Office of Counseling and Psychological Services can provide counseling services to victims of sexual assault. Students are encouraged to contact the Office of Counseling and Psychological Services to set up a confidential appointment to discuss their feelings and concerns. The office seeks to provide the emotional and psychological support that is necessary during this period and afterward. It also acts as an advocate for students.

5. Other Assistance

In an effort to provide further assistance to a victim of a sexual assault, Monmouth University will, on the request of the victim, make adjustments in academic or living arrangements affecting one of the parties. In all likelihood, the student accused of a sexual assault who may live in the same area as the alleged victim will be relocated on a permanent or temporary basis for the safety and security of all involved. Similar arrangements may also be made if the victim and the accused have classes scheduled together if an alternate course section is available.

6. Educational Programs

The University will sponsor educational programs to promote awareness of sexual assault, acquaintance rape, and other sexual offenses through the year. Specific programs will be included during New Student Orientation and twice a year in the fraternity and sorority Education program. In addition, programs will be conducted by the Office of Counseling and Psychological Services and the Office of Student and Community Services and Residential Life. Printed material on the subject will also be distributed to all incoming first-year students in the New Student Orientation packet and will be available in the Office of Student and Community Services, Health Services, and the Office of Counseling and Psychological Services. Further information on the Sexual Assault Policy and Procedures may be obtained by contacting the Offices of Student and Community Services, University Police, and the Office of Judicial Affairs.

CAMPUS SEXUAL ASSAULT VICTIM'S BILL OF RIGHTS

I. INTRODUCTION

A college or university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the university community in achieving these ends.

The boundaries of personal freedom are limited by applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. In creating a community free from violence, sexual assault, and non-consensual sexual contact, respect for the individual and human dignity are of paramount importance.

The state of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. Thus, it has established this Bill of Rights to articulate requirements for policies, procedures, and services designed to insure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

II. BILL OF RIGHTS

The following rights shall be accorded to victims of sexual assault that occur:

- on the campus of any public or independent institution of higher education in the state of New Jersey; and
- where the victim or alleged perpetrator is a student at that institution; and/or
- when the victim is a student involved in an off-campus sexual assault.

A. HUMAN DIGNITY RIGHTS

- To be free from any suggestion that victims must report the crimes to be assured of any other right guaranteed under this policy.
- To have any allegations of sexual assault treated seriously; the right to be treated with dignity.
- To be free from any suggestion that victims are responsible for the commission of crimes against them.
- To be free from any pressure from campus personnel to:
 - Report crimes if the victim does not wish to do so.
 - Report crimes as lesser offenses than the victim perceives the crime to be.
 - Refrain from reporting crimes.
 - Refrain from reporting crimes to avoid unwanted personal publicity.

B. RIGHTS TO RESOURCES ON/OFF-CAMPUS

- To be notified of existing campus- and community-based medical, counseling, mental health, and student services for victims of sexual assault whether or not the crime is formally reported to campus or civil authorities.
- To have access to campus counseling under the same terms and conditions as apply to other students in their institution seeking such counseling.

- To be informed of and assisted in exercising:
 - Any rights to confidential or anonymous testing for sexually transmitted diseases, human immunodeficiency virus, and/or pregnancy.
 - Any rights that may be provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases.

C. CAMPUS JUDICIAL RIGHTS

- To be afforded the same access to legal assistance as the accused.
- To be afforded the same opportunity to have others present during any campus disciplinary proceeding that is allowed the accused.
- To be notified of the outcome of the sexual assault disciplinary proceeding against the accused.

D. LEGAL RIGHTS

- To have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported.
- To receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities.
- To receive full, prompt, and victim-sensitive cooperation of campus personnel with regard to obtaining, securing, and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.

E. CAMPUS INTERVENTION RIGHTS

- To require campus personnel to take reasonable and necessary actions to prevent further unwanted contact of victims by their alleged assailants.
- To be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonably available.

F. STATUTORY MANDATES

- Each campus must guarantee that this Bill of Rights is implemented. It is the obligation of the individual campus governing board to examine resources dedicated to services required and to make appropriate requests to increase or reallocate resources where necessary to ensure implementation.
- Each campus shall make every reasonable effort to ensure that every student at that institution receives a copy of this document.
- Nothing in this act or in any "Campus Assault Victim's Bill of Rights" developed in accordance with the provisions of this act, shall be construed to preclude or in any way restrict any public or independent institution of higher education in the state from reporting any suspected crime or offense to the appropriate law enforcement authorities.

SEXUAL HARASSMENT

Procedures for Reporting and Resolving Complaints of Discrimination and Sexual Harassment Against Non-Faculty Employees (see later in this section when the alleged violator is a faculty member)

I. INTRODUCTION

Consistent with the University's mission as an institution of higher education and its policies against discrimination and sexual harassment, the University abides by all applicable federal, state and local laws which prohibit discrimination on the basis of race, religion, color, national or ethnic origin, age, sex (including sexual harassment), sexual orientation, marital status, or disability in any educational or employment program, policy, or practice of Monmouth University (including outside contractors and visitors). In accordance with these laws and policies, the University also prohibits retaliation against anyone who has complained about discrimination or otherwise exercised rights guaranteed by these laws. Regardless of the means selected for resolving allegations of discrimination, including sexual harassment, the initiation of a complaint will not cause any reflection on the complainant nor will it affect such person's employment, compensation or work assignments, or, in the case of students, grades, class selection, or other matters pertaining to his or her status as a student at the University. Every effort should be made to resolve any incident as soon as possible while the facts and potential testimony of witnesses, if any, are current.

II. PROCEDURES

The following procedures are provided for the prompt and equitable resolution of complaints by faculty, students, and non-faculty employees who believe they have been subjected to discrimination, including sexual harassment, in violation of the University's policy against discrimination and sexual harassment. These procedures will be followed when the alleged violator is not a faculty member or a student of the University. Separate procedures address faculty members. Allegations of discrimination, including sexual harassment involving a student, are addressed through the Student Code of Conduct. Nothing in this procedure shall limit or prohibit the filing of a grievance or action under a collective bargaining agreement, the University's Code of Conduct for student disciplinary actions, or with an external agency responsible for addressing issues of discrimination or sexual harassment. All employees and students, covered by this procedure, who believe they have been subjected to discrimination, including sexual harassment, have several ways to make their concerns known.

A. Initial Attempt at Informal Resolution (Optional)

1. If a person believes that he or she has been discriminated against, the following are the optional procedures for informal resolution. If the complainant wishes, he or she may choose to file a formal complaint rather than pursue the procedures for informal resolution. (See Section II, C.)
2. Those initiating an informal resolution process may inform, either orally or in writing, the individual perceived as engaging in discriminatory conduct or communication as soon as possible that such conduct or communication is offensive and must stop. If a meeting is arranged, a neutral witness should be present.

3. If a person does not wish to or feel comfortable communicating directly with the alleged violator or if the direct communication with that individual has not resolved the problem, the person should contact one of the following for assistance or advice as soon as possible:
 - a. Your immediate supervisor, appropriate school dean, or chairperson.
 - b. Counselor/advisor in the Office of Counseling and Psychological Services.
 - c. The Vice President for Student and Community Services.
 - d. The Vice President for Administrative Services.
 - e. The Provost.
 - f. The Director of Affirmative Action.
4. The Director of Affirmative Action may be contacted directly at any time regarding any issue of discrimination or sexual harassment. Again, if the individual filing the complaint wishes, he or she may choose to file a formal complaint (see Section II, C for formal complaint procedures).
5. Any University official approached with a complaint pursuant to this procedure, including the appropriate officials listed above, shall immediately notify the Director of Affirmative Action of the complaint and its substance.
6. The Director of Affirmative Action will initiate the informal resolution process.

B. Informal Resolution Process

1. The initial attempt at resolving a complaint regarding discrimination or sexual harassment may be conducted according to an informal process.
2. During this initial phase, the student or employee filing the complaint (complainant) may meet with the appropriate University officials designated in Section II, A.3, or the Director of Affirmative Action in order to describe the complaint verbally. While no written outline of the complaint is required at this stage, such a written outline or any other written materials related to the complaint will be reviewed.
3. The Director of Affirmative Action will investigate the complaint informally. This investigation may include but is not limited to meetings with the complainant, the person accused of having committed the alleged act or acts (respondent), and any other appropriate campus administrators, faculty members, members of the nonacademic staff, and/or students who may have knowledge of the situation.
4. The following items shall be included in the initial meeting with both the complainant and the respondent as soon as possible thereafter:
 - a. A copy of the University policy allegedly violated and these procedures will be given.
 - b. Assurance that the matter will be pursued.
 - c. Assurance that the Director of Affirmative Action or another appropriate official will be available throughout the process to answer questions or address concerns.

- d. Assurance that the matter will be kept confidential to the extent possible.
 - e. A statement regarding non-retaliation.
5. The Director of Affirmative Action, along with, when appropriate, other involved University officials, shall discuss the initiation of the complaint with the respective parties, the process of investigation and resolving the complaint, and the timetable for the completion of this process, i.e., investigation, resolution, and recommendation. An attempt to resolve the complaint with the complainant and the respondent will follow.
 6. The Director of Affirmative Action will attempt to reach an informal resolution within 15 working days and inform the complainant of the results in writing, including providing information about how to file a formal complaint. If the informal resolution is not completed, the Director of Affirmative Action will contact the complainant, who may choose to extend the informal process for up to 15 working days or to move directly to the formal complaint process.
 7. Every effort will be made to resolve the complaint at the lowest level possible and consistent with the desires of the person bringing forward the complaint. However, the University recognizes that under certain circumstances, it has a legal obligation to ascertain where discrimination and/or sexual harassment exist irrespective of whether a formal complaint is actually filed. Therefore, at any point during the informal process, either the complainant, the respondent, or the Director of Affirmative Action may move the complaint to the formal process set forth below.

C. Formal Complaint Procedure

1. Should the initial informal attempt or attempts to resolve the matter be unsuccessful, the complainant may initiate the formal complaint procedure. A formal complaint must be submitted in writing to the Director of Affirmative Action.
2. The student or employee should file a formal complaint within 90 working days following the last alleged discriminatory incident. Where the informal complaint process has been pursued, the 90-day limit can be extended.
3. When a student believes that it is not in his or her best interest for a complaint to be investigated during the course of a semester, the formal complaint must still be filed within the above time limit. However, at the written request of the student and approval by the Director of Affirmative Action, notice to the charged parties shall be delayed to no later than 14 working days after the end of the semester in which the alleged discriminatory act is alleged to have occurred. Under such circumstances, all of the time limits dependent on the date of the formal complaint shall start to run from within 14 working days after the end of the semester.
4. The written complaint must be filed with the Office of Affirmative Action and include the following:
 - a. The complainant's name, campus location, and status within the University community, including title, department, and school as appropriate.

- b. The basis of the alleged act or acts of sexual harassment or discrimination; that is, race, religion, color, national or ethnic origin, age, sex, sexual orientation, marital status, or disability.
- c. A brief description of what occurred, including dates, times, and names of witnesses or individuals who can corroborate the allegations, and the complainant's reason for concluding that the behavior or action was discriminatory or sexually harassing.
- d. The name and position in the University community held by the person or persons who committed the alleged act(s).
- e. Copies of materials, if any, which may be relevant to the investigation of the complaint.
- f. The date on which the alleged act(s) was committed.
- g. The date on which the complainant first knew of the alleged act(s), and any steps the complainant has taken to date, if any, to resolve the complaint.
- h. A statement indicating the remedy sought by the complainant.
- i. The signature of the complainant.

D. Procedures for Investigating Formal Written Complaints

1. As soon as possible, but within 14 working days after receipt of the written complaint, the Director of Affirmative Action of the University shall review the materials, which comprise the written complaint, and commence investigation of the complaint. The Director of Affirmative Action shall consult, if appropriate, with a faculty resource person with regard to academic and classroom behavioral issues. The Provost, when appropriate, upon request from the Director of Affirmative Action, shall select the faculty resource person. The formal investigation may include initial meetings with the complainant and with the respondent, a discussion of the available procedures, and an exploration of possible avenues for resolution of the complaint. As part of the investigation, the Director of Affirmative Action will notify the respondent of the allegations within the 10 working days from receipt of the complaint and shall provide the respondent with a copy of the written complaint.
2. If the investigation of a complaint would require interviewing students or employees who may not be available between semesters, and those interviews are significant to the complaint, these deadlines will be delayed until the beginning of the following semester and the complainant so notified.
3. The Director of Affirmative Action shall, as soon as possible, but within 90 working days after receipt of the written complaint, make every effort to complete a fact-finding investigation of the complaint and submit a final report to the Vice President and General Counsel.
4. The General Counsel will review the findings of the investigation with the appropriate area vice president, who will then take appropriate action. The Director of Affirmative Action will be notified by the General Counsel as to the proposed actions, if any, against the parties in the complaint.

5. The Director of Affirmative Action will, within 5 working days, notify all parties of the determination and consult with the appropriate University authorities to insure implementation of the decision.

III. DISCIPLINE

Whenever a violation of this policy is brought to the University's attention through appropriate channels, prompt corrective action will be taken. For example, individuals found to have engaged in discrimination, sexual harassment, or retaliation pursuant to these procedures may be subject to disciplinary action for violations of the University's policies (up to and including separation from the University). The University will follow applicable University procedures in taking any disciplinary action. Any disciplinary action taken against a member of a collective bargaining unit will be in accordance with the applicable collective bargaining agreement.

IV. APPEALS

Any party aggrieved with the resolution of the complaint by the appropriate vice president under Section II, D.4 above may appeal that resolution to the President within 14 working days of the notification by the appropriate vice president. Such an appeal shall be submitted in writing and shall be decided within 14 working days of its receipt. The determination of the President will be deemed final and binding.

V. CONFIDENTIALITY

1. Cases involving discrimination and especially sexual harassment are particularly sensitive and demand special attention to issues of confidentiality. Dissemination of information relating to the case should be limited to individuals who have a legitimate need to know or who have information relevant to the investigation in order that the privacy of all individuals involved is safeguarded to the extent practicable under the circumstances.
2. Every effort should be made to protect members of the University community so that they may use the discrimination and sexual harassment grievance procedures without fear of reprisal or retaliatory action.
3. University employees and students are obligated to comply with requests to provide statements during an investigation.

VI. FALSE CHARGES

Once a complaint of sexual harassment and/or discrimination has been made, the University has an obligation to investigate the matter. Any complaint determined to be intentionally dishonest or made maliciously without regard for the truth shall subject such complainant to disciplinary action. The determination as to whether a complaint constitutes a false charge under this section shall be made as part of the complaint resolution process set forth in these procedures.

VII. MONITORING

The Director of Affirmative Action shall monitor all reported incidents of alleged discrimination and sexual harassment for an appropriate time period, subsequent to their resolution, to ensure that the offending conduct has ceased, any corrective action has been complied with, and retaliatory actions have not occurred.

VIII. TIME LIMITS

1. All of the time limits contained in this document may be extended for good cause, upon notification to the parties and the Director of Affirmative Action.
2. If the complainant fails to respond within the time limits provided, upon written notice of such failure, the complaint may be deemed to have been withdrawn.

IX. TAPE RECORDINGS

1. During the formal investigation process, the Director of Affirmative Action shall tape record all interviews for the purpose of creating a transcript of the interview. Once the recordings have been transcribed, reviewed, and signed by the person interviewed, the tapes will be destroyed.
2. Tape recording of interviews will not be allowed by anyone else.

X. RELEASE OF DOCUMENTS

Except as stated in Section II, D 3, above, documents obtained in the course of an investigation (formal or informal) will not be released to any party of the investigation.

XI. REPRESENTATION

1. No party, including the complainant, respondent, or witnesses shall be allowed to have an attorney present at the proceedings for these procedures.
2. Any complainant or respondent who is a member of a collective bargaining unit may have his or her union representative present during proceedings under these procedures.

XII. RECORD KEEPING

1. All records required to be kept by the Director of Affirmative Action, including tape recordings of interviews, are confidential. The records shall be so noted and maintained in the files of the Director of Affirmative Action.
2. Records pertaining to individuals who have either filed complaints or who have been subject of complaints shall be maintained in the Director of Affirmative Action's files. Except as required by University policy and/or law, no records maintained by the Director of Affirmative Action shall be released.

XIII. EMPLOYMENT-AT-WILL

This procedure is intended to provide for the prompt and equitable resolution of student and employee complaints alleging discrimination and sexual harassment.

It is not intended to create, and does not create, an employment contract or a guarantee of continued employment for any employee. Nor does this policy abrogate or limit the at-will status of any University employee. Therefore, the University is free to discharge at-will employees at any time for any reason, just as an employee may resign at any time for any reason. Furthermore, the University may amend or rescind any of the provisions of this policy and the procedure from time to time in its sole discretion.

PROCEDURES FOR REPORTING AND RESOLVING COMPLAINTS OF DISCRIMINATION AND SEXUAL HARASSMENT AGAINST FACULTY EMPLOYEES (SEE EARLIER IN THIS SECTION WHEN THE ALLEGED VIOLATOR IS A NON-FACULTY MEMBER)

I. INTRODUCTION

Any member of the Monmouth University community may report alleged incidents of discrimination/sexual harassment to the Director of Affirmative Action or the Director of Human Resources. All reported incidents of alleged discrimination/sexual harassment shall be acted upon as promptly, sensitively, and confidentially as possible.

Whenever possible, the alleged incident of discrimination should be identified and a complaint filed within 30 days from the time the employee or student becomes reasonably certain that acts of discrimination/sexual harassment occurred. Any person participating in any part of this process may not be subject to reprisal.

II. PROCEDURES

The following procedures shall be used by employees and students to address complaints alleging discrimination/sexual harassment. This procedure shall be in lieu of any other grievance or dispute resolution procedure prescribed by a contractual agreement or college policy unless explicitly stated to the contrary. Any employee or student may consult with the Director of Affirmative Action prior to submission of a complaint to discuss the process and available options.

A. Informal Resolution: Prior to filing a formal complaint of alleged discrimination/sexual harassment, the complainant may attempt to resolve the alleged complaint informally by attempting to schedule a meeting with the person responsible for the alleged discrimination/sexual harassment to address the issue. The employee or student may invite the Director of Affirmative Action to attend the meeting to provide technical assistance in the resolution of the alleged complaint. The matter may be resolved with or without record as deemed appropriate by the Director of Affirmative Action. If this approach is unsuccessful or if the complainant wishes to forgo this approach, the complainant may choose to file a formal complaint.

B. Formal Resolution: The formal process is initiated with a written complaint of the alleged discrimination/sexual harassment and should contain the following information:

- name and telephone number of complainant

- name and work location of accused
- date of alleged discrimination/sexual harassment
- type of discrimination alleged
- statement of the facts to include names of witnesses and person(s) with knowledge of the incident
- recommendations for resolution

The formal written complaint should be forwarded to the Director of Affirmative Action. The Director of Affirmative Action will review the complaint and proceed in one of two ways.

1. The Director of Affirmative Action will investigate and report the findings within 30 days to the appropriate vice president/President for corrective action, or:
2. The Director of Affirmative Action will assign the alleged complaint to a hearing board, which will hear the case and report the findings within 30 days to the appropriate vice president/President for corrective action.

The appropriate vice president/President will review the findings and render a determination to the Director of Affirmative Action within 15 days from the date the findings are received.

The Director of Affirmative Action will immediately notify all parties of the determination and consult with the appropriate University authorities to ensure implementation of the decision.

C. Appeal: Either party to the complaint has 10 days from the date the complaint determination is received to appeal in writing to the President. The President has 30 days, from the date the appeal is received, to decide the appeal.

D. Official Records: It is recognized that written and oral information submitted within the context of this procedure may be subpoenaed if the case should become subject to litigation. Therefore, all confidential records regarding the complaint will be maintained in the affirmative action office.

III. MONITORING

The Director of Affirmative Action will monitor reported incidents of alleged discrimination/sexual harassment to ensure that the offending conduct has ceased, corrective action complied with, and that there has been no retaliatory action towards the complainant.

IV. INVESTIGATION/HEARING BOARD PROCESS

The following steps should be taken by the affirmative action officer/hearing board:

1. The affirmative action officer/hearing board will initiate the investigation by formally notifying the respondent that a charge has been filed against him/her.

2. The affirmative action officer/hearing board will obtain a written response from the respondent, take statements from any witnesses, and gather as much relevant information as possible.
3. The affirmative action officer/hearing board will prepare a report of the findings based on the available facts and the credibility of all statements.
4. The affirmative action officer/hearing board will have 30 days, from the date of the formal complaint, to complete its investigation and report the findings.

V. HEARING BOARD COMPOSITION

The hearing board will consist of the following individuals:

- Vice President for Administrative Services, chairperson
- Member of the faculty
- Member of the administration
- Peer of the employee/student, appointed by the chair
- Peer of the complainant, appointed by the chair

The Director of Affirmative Action will be present in the capacity of technical advisor.

SMOKING POLICY

1. Smoking is prohibited in all University housing as prescribed by New Jersey law. This includes bedrooms, common living areas, and lounges.
2. In addition to all members of the University community, outside groups who utilize University facilities are required to comply with this policy.
3. Individuals exiting a University building to smoke are required to stand at least 25 feet from the entrance and are requested to utilize ashtrays.
4. Appropriate disciplinary action, including fines, will be taken against individuals who do not comply with this policy.

STUDENT EVENTS REGULATIONS

These regulations have been designed as general guidelines for all parties, shows, special events, etc., sponsored by student organizations. These regulations may be modified by the Office of Student Activities based on the nature of the event. Items taken into consideration include the size of the audience, whether the event is open to the general public or not, if the organization has successfully presented the event in the past, etc. Student organizations will be informed of any modified regulations when meeting with the Director of Student Activities and Student Center Operations.

1. All organizations requesting to sponsor a dance, show, fundraiser, etc., must schedule a meeting with the Director of Student Activities to seek approval for proposed activities. This should be done well in advance of your program. No facility reservations will be approved until this meeting takes place. The Director

of Student Activities will assist you in finding a place and time for your event and assist you in reserving the facility.

2. No advertisements may be made until the event has been approved; then all advertisements may only be placed in approved locations.
3. Events must end by 1 a.m. Starting and closing times for parties must be included on advertisements.
4. At events open to Monmouth University students and their guests, there must always be at least one Monmouth University police officer present. Events open to Monmouth University students and students from other colleges or universities must have a minimum of two Monmouth University police officers present. Events approved to be open to the general public must have a minimum of three Monmouth University police officers present. The required amount of police officers may vary due to the anticipated crowd and/or nature of the event, i.e., concerts with public ticket sales, dances, parties, step shows, open talent shows, events where alcohol will be served, etc. The decision to deploy more than one officer will be determined by the University Police in conjunction with other administrative officials. Generally this decision will be made in advance of the scheduled date of event. The officers will be paid for by the sponsoring organization, and the Office of Student Activities and Student Center Operations will arrange for the officers to be present. With regard to certain events such as Homecoming, Ebony Night, Winter Ball, and the International Festival, the University will continue to assess the security needs based upon ticket sales and/or the sales and distribution of alcoholic beverages.
5. The organization's advisor or chaperon must be present during the entire function. This person must be a member of the Monmouth University faculty, staff, or administration.
6. The sponsoring organization must ensure staffing at the door during the entire event. All individuals working the event must be Monmouth University students or staff.
7. If the organization is planning on hiring an entertainer (i.e., band, DJ, etc.), the organization's advisor or the Office of Student Activities must call to request a contract. Students are not authorized to request a contract or commit a Monmouth University club or organization to a contract; if this occurs, the student or the student organization assumes all responsibility for payment and liability. All contracts must be reviewed by the General Counsel and changes made as he/she indicates. Only the Vice President for Student and Community Services may sign the contract.
8. All Monmouth University students must present their University ID upon entering.
9. Monmouth University will admit only those guests who are 18 years or older and possess a valid University ID.
10. Sponsoring organizations may invite Monmouth University students and students from surrounding colleges. Students visiting from neighboring colleges must present a current student ID and leave it at the entrance desk.

Any Monmouth University students may register a guest from another college but must assume responsibility for their guest's behavior. The guest must be 18 years or older and present a valid driver's license. These guest(s) must also be signed in by a Monmouth University student. There is a maximum of two guests per Monmouth University student. Failure to adhere to this policy will prohibit any and all guests from attending the event.

11. Student organizations sponsoring functions must conduct a visual inspection of all people entering the party. This may require asking their guest to open bags, pocketbooks, etc. Physical searches will not be required, however metal detectors may be utilized upon request of the sponsoring organization and/or the Monmouth University Police Department. The sponsoring organization is responsible for supervision of the bathrooms, stairwells, and party area in the Student Center. Extra Student Center staff may be deployed at the decision of the Office of Student Activities and Student Center Operations for overall supervision. The expense for the extra staff will be charged to the sponsoring organization.
12. There must be adequate lighting/minimal lighting kept on in Anacon Hall at all times so as to ensure the safety and security of all.
13. Sponsoring organizations must be fully aware that they will be held accountable for any/all costs that are incurred by the University as a result of unruly behavior during their sponsored event.

SUBSTANCE ABUSE POLICY

The use of drugs by students can create conditions that are contrary to those deemed necessary for the maintenance of an optimal academic environment. Monmouth University affirms its responsibility to secure this optimal educational atmosphere by establishing the following policy:

The use, possession, or sale of alcohol, illegal drugs, or narcotics, and/or paraphernalia by a student will subject that individual to disciplinary action and legal prosecution under federal, state, or local statutes. The decision rendered shall be determined by the circumstances of the student's involvement. In addition, the presence of the odor of marijuana, and the possession of drug paraphernalia or any device used to ingest marijuana in any campus residence hall, building, etc., may also subject students to internal disciplinary action.

Sanctions for Violation of Substance Abuse Policy

The University reserves the right at any point in the range of offenses to impose sanctions deemed appropriate, in addition to or in place of sanctions listed below. Additionally, the University reserves the right at any point in the range of offenses to request students to seek a formal evaluation as deemed necessary by the director of Psychological Services, Coordinator of Substance Awareness, and/or the vice president for Student and Community Services. In all cases, the University reserves the right to prosecute criminally for violation of policies concerning alcohol and drugs.

Use, Possession, or in the Presence of Controlled Dangerous Substances/Paraphernalia

First Offense:

1. Residence hall probation.

Non-residents found in violation will have privileges of being in any residential facility including the quad, apartments, and parking lots of the residence halls held on a probationary basis. Any subsequent violation of University or residence hall policy will result in suspension from the residence halls.

2. Up to \$200 fine.
3. Possible service work assignment.
4. Disciplinary probation for one full semester.
5. Possible educational program.
6. A mandatory meeting with Monmouth University's Substance Awareness Coordinator.
7. Parental notification.
8. Arrest by MUPD.

Second Offense:

1. Suspension from the University for a minimum of one semester.
2. A fine up to \$400.
3. Reinstatement upon approval of Student and Community Services personnel and Director of Psychological Services and/or a formal alcohol and other drug evaluation at a licensed treatment facility.
4. Disciplinary probation upon return to the Institution for a period of two full semesters.
5. Permanent loss of on-campus housing privileges.
6. Parental notification.
7. Arrest by MUPD.

Third Offense:

1. Expulsion from the University.
2. Parental notification.
3. Arrest by MUPD.

Selling or Distribution of Controlled Dangerous Substances

Expulsion from the University and criminal prosecution.

Other Significant Laws Pertaining to Substance Abuse

- Anyone convicted of distributing a controlled substance to a person under age 18 will be subject to twice the term of imprisonment, fine, and penalty.
- New Jersey law provides strict liability for drug-induced deaths. Even if the victim voluntarily takes the drug, the person who distributes or dispenses the controlled substance can be prosecuted for a homicide. Anyone convicted of any drug offense, including use, will have to pay a special penalty which starts at \$500 and goes up to \$32,000.
- Anyone convicted of any drug offense will automatically lose his or her driver's license for at least six months. It doesn't matter if a car was used in committing the offense.

TELEPHONE SERVICE INFORMATION AND POLICIES

Services

On-campus telephone service is provided for all students who reside in the residence halls. On-campus calls can be made (and received), and long distance calls received immediately upon your arrival at Monmouth University. Each student will also be provided, at no cost, a voice mailbox accessible from any touch-tone phone on or off campus. An authorization code is required to place calls to off-campus locations, including long distance calls. An authorization code will be assigned to you. By choosing to use the code, you have indicated that you have read this Telephone Service Information and Policies document, have agreed to abide by it, and are accepting financial responsibility for calls made from your telephone or with your access code.

YOU ARE RESPONSIBLE FOR MAINTAINING THE CONFIDENTIALITY OF YOUR AUTHORIZATION CODE.

Do not share your authorization code with anyone.

You are responsible for all calls made from your extension and for all calls made with your authorization code. You are liable for all charges on your authorization code until you complete a Request for Change of Authorization Code at the Office of Telecommunications in room 529, Howard Hall.

Your authorization code may be suspended for any of the following reasons:

- a. if your monthly expenditure for telephone calls exceeds \$150 (as soon as your monthly expenditure reaches \$150 your code will be DEACTIVATED).
- b. for non-payment of bills by due date (bills must be paid each month, regardless of amount).
- c. for returned ("bounced") checks.
- d. unauthorized or unlawful use of the telephone.
- e. for possible other abuse or toll fraud.
- f. receiving collect calls.

If your authorization code is suspended you must appear in person at the Office of Telecommunications to arrange for reactivation of your authorization code. To

reactivate your authorization code, full payment of any past due amount must be made, including the payment of a \$5 reactivation fee.

Your name and telephone number will be listed with the Office of Residential Life. You will not be listed with the local telephone company, Verizon. Verizon cannot answer questions related to the Monmouth University telephone service.

Charges

Rates are available by contacting the Office of Telecommunications or by accessing the Web site at www.monmouth.edu/resources/campus_technology/telecom/default.asp.

Your available monthly credit limit at any time is \$150. If your current monthly expenditure for telephone calls exceeds \$150, your service will be interrupted until a payment is made that includes all outstanding balances due. This will apply even when your regular payment is due at a later date: when the credit limit is exceeded, the full balance must be paid.

You will receive a monthly statement for all long distance calls. It will indicate the originating extension, the number called, the time of day, the duration, the cost, and the date of each call.

The statement-billing period will typically reflect calls from 12 a.m. on the first of the month to 12 a.m. on the last day of the month.

IF YOU DO NOT RECEIVE A BILL BY THE FIFTEENTH OF THE MONTH, IT IS YOUR RESPONSIBILITY TO ADVISE TELECOMMUNICATIONS SO THAT A SECOND COPY CAN BE MAILED TO YOU. FAILURE TO RECEIVE A BILL DOES NOT RELIEVE YOU OF THE RESPONSIBILITY TO PAY THE BILL BY THE DATE DUE.

Monmouth University will not send any monthly bills to addresses outside the United States. Should you have a question regarding your account, you must contact the Office of Telecommunications, Howard Hall, room 529, within 15 days of the billing date.

Past due accounts will be referred to the Office of the Bursar for collection and disciplinary action. Failure to remit payment within the allotted time period will result in your University records being frozen until all past due amounts are paid. You will also be responsible for all collection costs, including attorney's fees.

Equipment

To use the University telephone system you will need an analog telephone set.

Student Responsibilities

Students will be held responsible for all calls made from their extension regardless of who made the calls. Whether or not you choose telephone service you will be responsible, including financially, for all calls made from your room. All students assigned to a room shall be jointly liable for all calls made from their telephone.

Students will be responsible for any damage, beyond normal use, to the University's telephone equipment, including wiring, as determined by the University.

The use of any authorization code other than the one issued to the student will be considered theft of services and dealt with in accordance with the Student Code of Conduct, as well as local, state, and federal laws.

You are required to notify the Office of Telecommunications in writing, using a change of address form, if you relocate on or off campus or if you withdraw from the University. This is in addition to any other departments/offices you are required to contact. Your telephone number will change when you change residence hall rooms on campus, however, your authorization code will remain the same. It is imperative that you notify the Office of Telecommunications as soon as possible when moving so that you will not be held responsible for telephone calls made from your previous location. If your authorization code is lost or stolen, you must immediately go to the Office of Telecommunications in Howard Hall, room 529, and complete a Request for Change of Authorization Code form. This form must be presented in person and with a current photo ID. Upon receipt of the Request for Change of Authorization Code form, we will deactivate your current authorization code and assign a new code. You will be responsible for all calls made prior to completion of the Request for Change of Authorization Code form. Forms received in the mail will not be processed. Telephone notifications cannot be honored.

Each student issued an authorization code will receive his or her own bill. Your individual authorization code will allow you to place calls from other residence hall telephones and have them billed to your account. The Office of Telecommunications can determine the originating extension for all calls.

All authorization codes will be deactivated on the last day of the school year. Should you have a special need to retain your code beyond that date, you will be required to complete a Request and Agreement for Full Telephone Service form in the Office of Telecommunications.

You may pay by check or credit card at the Office of Telecommunications, Howard Hall, room 529. Cash payments must be made at the Office of the Bursar. Checks written incorrectly will not be accepted. Dishonored checks will be assessed a \$25 service charge and are the equivalent of non-payment.

[Disputed Calls](#)

If you feel you were incorrectly billed for a particular call, you must notify the Office of Telecommunications. You must fill out a dispute form. This form can be found in Residential Life, the Office of Telecommunications, or online.

[Other Chargeable Calls](#)

Charges for long distance calls are based on the length of the call. You will be billed for answered and unanswered calls which exceed 29 seconds. Credit will not be issued for these calls.

Directory assistance calls will be charged at the rate of \$.75 for each call. Dial 8-411 for all directory assistance nationwide.

[Access to Other Long Distance Carriers and Operators](#)

The Monmouth University telephone system will allow you to access various long distance carriers (via the use of calling cards), directory assistance, and 800 numbers. All long distance calls require the use of a Monmouth University authorization code.

Telephone calls to 900 and 700 numbers cannot be made from the campus telephone system. Students are prohibited FROM BILLING ANY CALLS OR SERVICES DIRECTLY TO THEIR RESIDENCE HALL TELEPHONE NUMBER OR ACCEPTING COLLECT CALLS AND THIRD PARTY CALLS. If any charges are accepted for any services, the cost plus a handling fee of \$10 per incident will be charged to the student's account who accepted or made the call.

[Abusive Calling Procedure](#)

To avoid or stop abusive telephone calls, Monmouth University will cooperate fully with, and provide technical assistance to, legal authorities. Questions regarding abusive or annoying calls should be referred to the Office of Telecommunications in Howard Hall, room 529.

Complaints related to abusive or annoying calls will be referred to the Monmouth University Police Department for investigation. The telephone extension from which the offending telephone calls originate may be disconnected.

[Fraudulent Use of the Telephone System](#)

Fraudulent use of the telephone system is a state and federal offense, and Monmouth University will exercise the right to prosecute anyone who abuses and/or fraudulently uses telecommunication services. This includes the obtaining, or attempting to obtain, or assisting another to obtain long distance message service by rearranging, tampering with, or making connection with any facilities (telephone, data, or video, including wiring) with intent to avoid payment of the regular charge for such services. Fraudulent calls are subject to additional fees of \$5 per call (\$20 minimum) plus any other applicable collection costs.

Fraudulent use of the telephone system by anyone will not be tolerated. Fraudulent calls and abusers will be turned over to the Division of Student and Community Services and/or University Police for disciplinary action and/or criminal prosecution.

Each person is responsible for his/her authorization code. Your authorization code should be protected in the same manner as a credit card or PIN number. Do not share your authorization code with anyone. Fraudulent use of the telephone system may result in the offending telephone extension being disconnected.

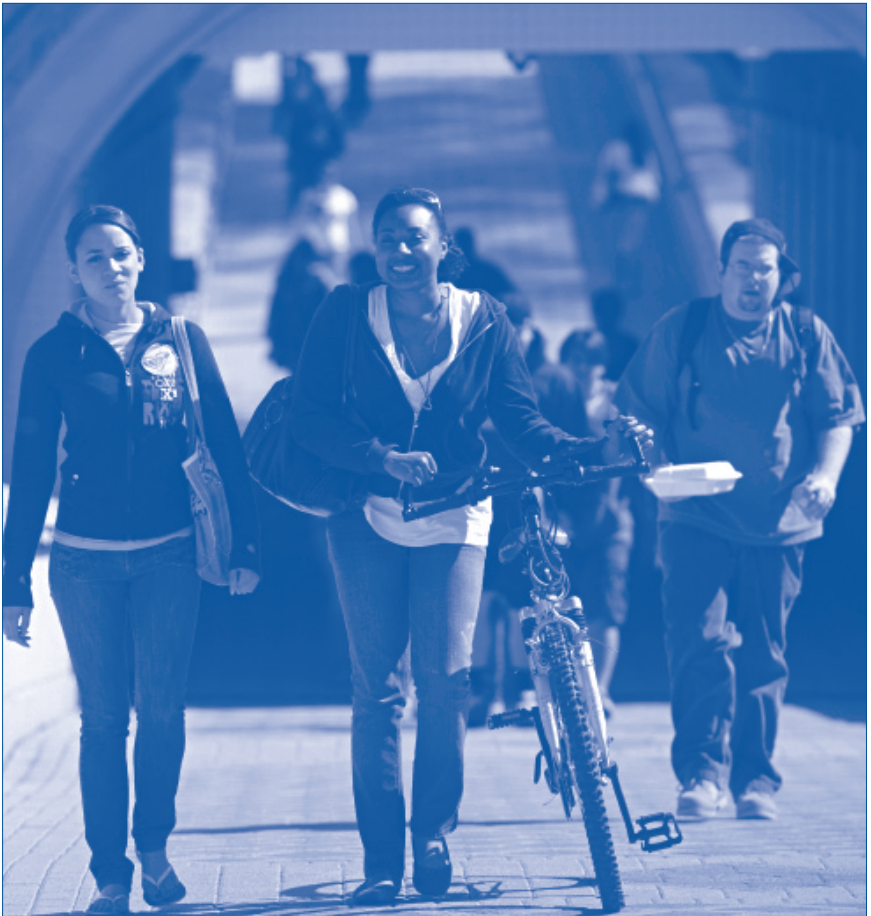
If your authorization code is lost or stolen, you must immediately go to the Office of Telecommunications in Howard Hall, room 529, and complete a Request for Change of Authorization Code form. This form must be presented in person and with a current photo ID. Upon receipt of the Request for Change of Authorization Code form, we will deactivate your current authorization code and assign a new code.

You will be responsible for all calls made prior to completion of the Request for Change of Authorization Code form. Forms received in the mail will not be processed. Telephone notifications cannot be honored.

Authorization code cancellations and re-issues are made during normal working hours (Monday through Friday, 8:45 a.m. to 5 p.m.).

TITLE IX

It is the policy of Monmouth University not to discriminate on the basis of sex in its educational programs, activities, or employment practices as required by Title IX of the 1972 Educational Amendments. As a recipient of federal financial assistance, Monmouth University has appointed the director of Affirmative Action, Human Relations, and Compliance, as our title IX coordinator. In addition, we have adopted and disseminated a nondiscrimination policy and have in place procedures to address complaints of discrimination on the basis of an individual's sex. These policies and procedures can be found in the MU Student Handbook, or on the Web at www.monmouth.edu/resources/hr/aaction/harass.asp, or by contacting the Office of Affirmative Action by phone at 732-571-7577, or in person in Wilson Hall, room 304.





CONDUCT REQUIRED IN GENERAL

Students are citizens of several communities—city, county, state, and nation—as well as the University. Certain types of misconduct may subject a student to the concurrent jurisdiction of, and the imposition of, civil, criminal, or disciplinary sanctions by both the University and the civil authorities. All students are, therefore, generally put on notice that they are subject to and are required to comply with, observe, and obey the following:

- the laws of the United States (federal)
- the laws of the State of New Jersey
- local, city, county, and municipal laws and ordinances
- the Rights, Responsibilities, Rules, and Regulations in the Residence Hall Contract and Residential Life Guidebook
- the policies, rules, and regulations of Monmouth University including the Student Code of Conduct, as well as any policy, rule, or regulation which may from time to time be established and enacted
- standards set within their community

LIABILITY

Monmouth University assumes no responsibility for any and all losses to persons or property while in the residence halls (or University sponsored housing) by reason of any utility failure, accident, injury, loss, or damage, except for negligence on the part of employees of the University. The burden of proof in any claim of loss or damage due to negligence on the part of employees of the University rests solely and entirely with the complainant.

Please note: This applies to all Monmouth University students as well as their guests.

Policies and Procedures

All of the policies, procedures, and rules that govern University Housing are detailed in the Residential Life Guidebook and Housing Contract. All University students, as well as their guests, should be familiar and comply with such.

Please note: All policies, rules, and procedures apply within University housing as well as the areas surrounding the facilities and University sponsored housing. Although the following procedures, rules, and regulations are not contained in this handbook, students should be aware that the following areas are discussed in full in the Residential Life Guidebook.

They are:

- telephone service
- room keys

- damage to university property
- vacation periods
- quiet hours
- meal plan information

PROTECTION OF STUDENTS' PROPERTY

The University provides locks on rooms and keys to each resident to ensure the safekeeping of money and other valuables. However, the University cannot protect the student against him/herself and the student's failure to use common sense. Never keep large sums of cash in your room or on your person. To do so is an open invitation to theft. Students should keep their door closed and locked at all times when leaving their room and when they will be out of sight of the room, even when just going to the bathroom or taking a shower, and should always take their keys with them any time they leave their room.

Students are advised that it only takes 15 seconds for a theft to occur under the aforementioned conditions, and in most cases the loss is permanent. Report any and all thefts to the University Police and to the residence hall staff immediately. Prompt reporting of thefts, regardless of value, dramatically improves the possibility of recovering property.

Please note: The University is not liable for any item stolen on University property or in University sponsored housing.

Monmouth University cannot be responsible for loss of, or damage to, the personal property of any resident student (see section entitled "Liability"). During vacation periods students leave personal possessions in their rooms or in the residence halls at their own risk. Parents and students should ensure that their property insurance is adequate, or request that their homeowner's insurance policy be extended to cover their student's personal property while at the University. Most policies do cover such items and circumstances; however, it is recommended that you check your policy and be sure of the amounts of coverage and procedures in case of theft. In many cases, contacting your insurance agent will avoid delays, problems, and enhance your protection when you follow their recommendations.

Students should be alert to the presence of strangers in the residence halls. Such persons should be reported immediately, along with a complete description, to the University Police and residence hall staff.

RESIDENT STUDENT CONTRACT RESPONSIBILITIES

In addition to the information contained in the Residence Hall Contract, students are advised that the deadline dates for submission of applications, contracts, and all applicable fees/deposits by current residence hall students intending to return to the residence halls for the next academic school year will be published early in the spring semester. Students should be advised that failure to meet these deadlines may result in the unavailability of housing for the following year.

Applications submitted after the deadline will be considered on a space-available basis. Students are also advised that submission of an application for housing for the

next academic year does not, in any way, guarantee them space in University housing or any specific room assignment.

Furthermore, students who occupy University-sponsored housing shall be required to sign and abide by supplemental contracts.

SOCIAL AFFAIRS

The planning and hosting of social affairs by members of the residential community are both permitted and encouraged by the Office of Residential Life and the University.

Social affairs involving more than ten persons may be conducted only on Fridays and Saturdays during the hours of 6 p.m. and 2 a.m. Such affairs must be scheduled with the Office of Residential Life by 5 p.m. on the Wednesday preceding the event. Residents hosting the event must complete the Social Affairs Registration Form available in the residential life office. All terms and conditions of the form must be adhered to. Social affairs permits are only permitted within University-owned apartments located on campus and are available to residents who attend a prerequisite meeting.

Smaller affairs or gatherings, such as birthday celebrations, of fewer than ten persons, or programs conducted or sponsored by residential life staff may be conducted without obtaining permission, but are subject to all quiet, study hour, and noise restrictions and in no case may they extend beyond 11 p.m. on weekdays (2 a.m. on weekends). In addition, alcoholic beverages may not be sold, distributed, consumed, or possessed at such affairs in any way which constitutes a violation of any alcohol policy cited in the Student Handbook, Residence Hall Contract, or any other published document outlining such restrictions. Residents cannot charge admission to these parties. Furthermore, students must comply to the borough of West Long Branch's fire code pertaining to occupancy limits.

It is expected that at all times during the day, evening, and early morning hours, students will remain considerate of those around them, as well as the rights of all persons residing or present in or near residence hall premises.

Residential life reserves the right to limit the number of social affairs permits.

TELEPHONES

The University provides on-campus telephone service for students who reside in the residence halls upon request. Information will be provided prior to the start of each semester.

Students are responsible for all calls that are made with their "PIN" number. Additionally, students are responsible for all phone calls made from their phones (e.g., telephone calls made with fraudulent, unauthorized, or stolen "PIN" numbers). In University-sponsored housing, telephone/DSL service is solely the responsibility of the student. The University assumes no responsibilities with agreements made by students with providers.

UNIVERSITY HOUSING AND RESIDENCE HALL CONDUCT

The conduct of all students—resident or commuter, as well as their guests—is governed by the Code of Conduct and the Residential Life Guidebook. It is important

to note that Monmouth University students will be held responsible for the actions of their guests.

VACATION AND BREAK HOUSING

For reasons of security, inability to maintain liability coverage for students, minimal supervision, and energy conservation requirements and programs, all students are required to vacate the residence halls during a vacation period. Students may live on campus during these periods only if they are enrolled in special courses (e.g., co-op programs) or if they participate in inter-collegiate athletics. Any other student needing to stay during these times must submit a formal break period request form to Residential Life at least two weeks prior to closing.

Please note: Normal services are not offered during these times (e.g., meal plans, mail distribution, RA staffing, etc.). Students residing on campus during these periods may be charged an interim rate. Vacation and break housing for University-sponsored housing will be stipulated in the specific facility's supplemental contract.

Scheduled vacation breaks include Thanksgiving, Winter Break, and Spring Break. During these periods, students are expected to vacate their rooms no later than 6 p.m. on the day before a vacation period begins. Students are cautioned that their Residence Hall Contract is valid during these periods and they must abide by all University rules and regulations. A student entering any residence hall building without permission during these periods is trespassing and will be treated accordingly.

VISITATION IN UNIVERSITY HOUSING

Residents are not restricted in their rights to have visitors, providing the practice of this privilege does not infringe upon the comfort and rights of others. As such, residents are responsible for their visitors at all times. Overnight visitation is limited to 48 hours, and only with the consent of the roommate. This policy applies to University-owned and/or -sponsored housing.

Policy

1. Monmouth University housing is only opened to assigned residents, University officials and staff, and guests of assigned residents. Residence halls are special purpose buildings and are not open to the general public.
2. A guest is defined as a student from another residence hall and/or a non-student who resides off campus.
3. An overnight guest is defined as a person who stays overnight in a room to which he or she is not assigned.
4. Residents are responsible for the actions and behaviors of their guests.
5. Overnight guests may stay no more than two consecutive nights and/or no more than four cumulative nights per month.
6. An overnight guest is limited to no more than 16 nights in any one semester. During summer sessions, an overnight guest is limited to eight cumulative nights, but no more than two consecutive nights per given week.
7. All guests must comply with the child visitation policy.

8. If a resident student violates any provision of this policy, charges under the Student Code of Conduct may be filed and in addition the following consequences will apply:

- a. **First Offense**

- A written letter of warning will be sent to the student and a copy will be on file in the Office of Residential Life, and/or loss of guest privileges.

- b. **Second Offense**

- Loss of visitation privileges for a period of 90 days from the date of the infraction and a monetary fine.

- c. **Third Offense**

- Immediate suspension from the residence halls and the cancellation of the Residence Hall Contract.

9. Additional guidelines pertaining to guests as noted in the Residence Hall Contract/Guidebook must be adhered to.
10. Visitation guidelines in University-sponsored housing will be detailed in each facility's supplemental contract.

WITHDRAWAL FROM UNIVERSITY RESIDENCE HALLS

A student who lives in the residence halls and who is withdrawing from the University and/or the residence halls must complete the following:

1. Formally withdraw from the University by following all procedures specified in the Undergraduate Catalog.
2. Notify, in writing, the Assistant Director of Residential Life and Housing Operations his/her intent to withdraw from University housing.
3. Notify his/her hall director and complete the necessary checkout and room inventory procedures and forms, including having his/her room inventoried and the Room Condition Report completed by his/her resident assistant or hall director, as specified in the section entitled "Room Inventory" in the Residential Life Guidebook.
4. Sign the Room Condition Report in the appropriate location.
5. Return keys if you are withdrawing from the residence halls. All students must return all keys before leaving at the end of the spring semester. Failure to turn in keys prior to leaving will result in being charged for such whether or not they are returned at a later date.
6. Once all procedures have been completed, a resident student must vacate the room within 24 hours, including the return of all keys belonging to the University.

Please note: Students will be responsible for all costs associated with their room/apartment until all keys are formally returned and in accordance with Residential Life's refund policy.

STUDENT CODE OF CONDUCT

PREAMBLE

Monmouth University offers its students the opportunity for maximum intellectual and personal growth by providing a variety of experiences, activities, and services that are designed to complement classroom work and provide opportunities for individual maturation.

The University recognizes and respects the students' personal freedom and assures maximum individual liberty within the limits necessary for the orderly operation of the University. In response, students must observe rules and regulations necessary for the proper functioning of the institution.

Each individual has the right and responsibility to bring to the attention of an administrative or student government official any violations of personal freedom or the regulations of the University.

Disciplinary authority comes from the board of trustees, which delegates this responsibility to the president. The president has authority to accept, reject, or modify procedures and standards that are recommended by the University Discipline Committee and the Office of the Vice President for Student and Community Services.

The Vice President for Student and Community Services has been delegated responsibility for administering student discipline. In those cases involving academic dishonesty, the Vice President for Academic Affairs/Provost shall oversee a separate process described in Article IV, Section A.

ARTICLE I: DEFINITIONS

1. The term "University" means Monmouth University.
2. The term "student" includes all persons taking courses at the University, both full-time and part-time, pursuing undergraduate and graduate studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered students.
3. The term "faculty member" means any person hired by the University to conduct classroom activities.
4. The term "University official" includes any person employed by the University, performing assigned administrative, professional responsibilities, including staff, paraprofessionals, and police officers.
5. The term "University premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University including adjacent streets and sidewalks.
6. The term "member of the University community" includes any person who is a student, faculty member, University official, or any other person employed by the University. A person's status in a particular situation shall be determined by the Vice President for Student and Community Services or her designee.

7. The term “hearing board” means any person or persons authorized by the Vice President for Student and Community Services or her designee to determine whether a student has violated the Student Code and to recommend imposition of sanctions.
8. The term “hearing officer” means a University official authorized on a case-by-case basis by the Vice President for Student and Community Services or her designee to impose a sanction upon students found to have violated the Student Code. The Vice President for Student and Community Services or her designee may authorize a hearing officer to serve simultaneously as a hearing officer and the sole member or one of the members of a hearing body. Nothing shall prevent the Vice President for Student and Community Services or her designee from authorizing the same hearing officer to impose sanctions in all cases.
9. The term “shall” is used in the imperative sense.
10. The term “may” is used in the permissive sense.
11. The “vice president” is that person designated by the President of the University to be responsible for the administration of the Student Code.
12. The term “policy” is defined as the written regulations of the University as found in, but not limited to, the Student and Residential Life Handbook and the Undergraduate and Graduate Catalogs.
13. Cheating: Cheating includes, but is not limited to the following actions:
 - a. Copying from someone else’s test or examination paper.
 - b. Possessing, buying, selling, removing, receiving, or using, at any time or in any manner not prescribed by the instructor, a copy or copies of any materials (in whole or in part) intended to be used as an instrument or academic evaluation in advance of its administration.
 - c. Using material or equipment during a test or other academic evaluation that has not been authorized by the instructor, such as crib notes, calculator, tape recorder, or slide rule.
 - d. Obtaining or attempting to obtain in a fraudulent manner any material relating to a student’s academic work. Such actions would include theft of examinations or library materials, or obtaining advance access to an examination through collusion with a University employee.
 - e. Working with another or others in completing a take-home examination or assignment when the instructor has required independent and unaided action.
 - f. Attempting to influence or change an academic evaluation, grade, or record by unfair means. This would include altering academic work that has been resubmitted without indicating that the work has been altered.
 - g. Permitting another student to substitute for one’s self in an academic evaluation.

- h. Marking or submitting an examination or evaluative material in a manner designed to deceive the grading system.
- i. Willfully damaging the academic work or efforts of another student to gain an unfair advantage in an academic evaluation.
- j. Failing to comply with a specific condition of academic integrity that has clearly been announced in a particular course.
- k. Submitting, without prior permission, any work by a student that has at anytime been submitted in identical or similar form by that student in fulfillment of any other academic requirement at any institution.
- l. The submission of material in whole or part for academic evaluation that has been prepared by another individual(s) or commercial agency.
- m. Plagiarism:
 - i. Submitting written materials without proper acknowledgment of the source.
 - ii. Deliberate attribution to, or citation of, a source from which the referenced material was not in fact obtained.
 - iii. Submitting data which have been altered or contrived in such a way as to be deliberately misleading.

ARTICLE II: DISCIPLINARY AUTHORITY

1. The Vice President for Student and Community Services shall determine the composition of hearing boards and shall determine which hearing board and hearing officer shall be authorized to hear each case.
2. The Vice President for Student and Community Services shall develop policies for the administration of the discipline program and procedural rules for the conduct of hearings that are consistent with provisions of the Student Code of Conduct.
3. Decisions made by a hearing board or a hearing officer are final, pending the normal appeal process.

ARTICLE III: PROSCRIBED CONDUCT

A. Jurisdiction of the University

Generally, University jurisdiction and discipline shall be limited to conduct that occurs on University premises or which adversely affects the University community and/or the pursuit of its objectives.

In meeting its educational mission, Monmouth University recognizes the importance of establishing and enforcing acceptable community standards of behavior. In doing so, members of the University community should know that they will be held accountable for their off-campus actions and/or behaviors as they relate to established laws and regulations of federal, state, and local agencies, as well as policies of the University.

In this connection, individuals who are members of the University community have a responsibility to represent themselves in a lawful and responsible manner at all times, both on and off campus. It would be unreasonable to suggest that a person committing a wrong act, on or off campus, which violated both the Student Code of Conduct and criminal statutes, could not be punished by all injured parties, e.g., the citizens of the state or local community and the University.

The University reserves the right to exercise its discretion on taking disciplinary action against students of the University or University organizations involved in off-campus activities when the University's reputation or its orderly functioning as an academic community are clearly involved and distinct or to protect the safety and well-being of the campus community.

B. Conduct—Rules and Regulations

Some examples of misconduct for which students or campus organizations are subject to University discipline include, but are not limited to, those listed below. The range of standard sanctions for those found to be in violation of this section are also indicated. The University reserves the right to exercise discretion in the imposing of sanctions based on the severity of the situation. (See Article IV, Section III for further explanation.)

1. Dishonesty, such as cheating, plagiarism, using unauthorized information, or knowingly furnishing false information to the University. (Sanctions # 1, 3, 9, 10, 11, 12)
2. Forgery, alteration, or use of University documents, records, or instruments of identification with the intent to defraud. (Sanctions # 1, 3, 7, 10, 11, 12)
3. Intentional obstruction, distracting behavior, or disruption of teaching, research, administration, computer resources, disciplinary proceedings, or other University activities, including public service functions and other authorized activities on University premises. (Sanctions # 1, 3, 4, 5, 10, 11, 12)
4. Physical abuse, threats, intimidation, harassment, coercion, and/or other conduct that threatens or endangers the health or safety of any person. (Sanctions # 2, 3, 4, 5, 6, 7, 8, 10, 11, 12)
5. Attempted or actual theft of and/or damage to property of the University or property of a member of the University community or other personal or public property. (Sanctions # 2, 3, 4, 5, 6, 7, 8, 10, 11, 12)
6. Conduct which is lewd, disorderly, or indecent; breach of peace; aiding, abetting, or procuring another person to break the peace on University premises or at functions sponsored, or participated in, by the University. (Sanctions # 1, 3, 4, 5)
7. The use, possession, distribution, or being in the presence of a narcotic or other controlled dangerous substance, and/or paraphernalia except as expressly permitted by law. (Refer to sections on Alcohol and Drugs, in the University Policies section of this handbook.)
8. The use, possession, distribution, or being in the presence of alcoholic beverages except as expressly permitted by the law and University regulations, or

intoxication. (Refer to sections on Alcohol and Drugs, in the University Policies section of this handbook.)

9. Littering of campus property. (Sanctions # 1, 2, 3, 4)
10. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so. (Sanctions # 1, 3, 4, 5, 6, 7, 8, 10, 11, 12)
11. Violation of published University rules, policies, or regulations or terms of the Residence Hall Contract. (Sanctions # 1–12)
12. Unauthorized possession, duplication, or use of keys to any University premises or unauthorized entry to or use of University premises. (Sanctions # 1, 3–8, 10, 11)
13. Violation of rules governing University residence halls. (Sanctions # 1, 3, 4, 6, 7, 8, 12)
14. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises. (Sanctions # 3–8, 10, 11, 12)
15. Hazing. (Sanctions # 2, 3, 4, 5, 10, 11, 12)
16. Violations of law, or other conduct that directly or indirectly adversely affects the University or members of the University community or affects the reputation of the University. (Sanctions # 1–8, 10, 11, 12)
17. Sexual offenses including but not limited to sexual assault, rape, sexual harassment, or inappropriate sexual contact. Acquaintance or date rape is considered a sexual assault. Acquaintance rape is both a criminal and University offense. (Sanctions # 3–8, 10, 11, 12)
18. Abuse of the Student Discipline System, including but not limited to: (Sanctions # 1, 3–8, 10, 11, 12)
 - a. Failure to obey the summons of a hearing board or University official.
 - b. Falsification, distortion, or misrepresentation of information before a hearing board.
 - c. Institution of a discipline proceeding knowingly without cause.
 - d. Attempting to discourage an individual's proper participation in, or use of, the discipline system.
 - e. Attempting to influence the impartiality of a member of a hearing board prior to, and/or during the course of, the discipline proceeding.
 - f. Harassment (verbal or physical) and/or intimidation of a member of a hearing board prior to, during, and/or after a discipline proceeding.
 - g. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.

- h. Influencing or attempting to influence another person to commit an abuse of the discipline system.
- 19. Selling or distributing course lecture notes, handouts, or other information provided by a faculty member, or using such items for any commercial purpose without the express permission of the faculty member. (Sanctions #1, 3, 4, 5, 9, 10, 11, 12)
- 20. Providing or assisting in providing unauthorized access to, distribution of, or alteration of University computer or Web-based courses, or parts thereof, for commercial or non-commercial purposes. (Sanctions #1–5, 9–12)
- 21. The unauthorized downloading of copyrighted materials, including but not limited to, music, television or motion pictures.
- 22. Making or attempting to make a photographic, audio, or video recording of any person(s) in bathrooms, showers, bedrooms, or other premises where there is an expectation of privacy involving nudity and/or sexual activity, without the full knowledge and consent of all participants subject to such recordings or the public sharing of such materials.
- 23. Making or attempting to make a photographic, audio or video recording of any person(s) involving nudity and/or sexual activity, with the full knowledge and consent of all participants subject to such recordings or the public sharing of such materials, when such materials refer to or identify the University or are distributed through the University's information systems network, radio or television broadcast systems, internal mail or message board posting. This paragraph shall not apply to any bonafide project for academic credit nor to the activities of recognized student media organizations so long as such activities comply with the organization's rules and regulations.

C. Violation of Law and University Discipline

- 1. University disciplinary proceedings may be instituted against a student charged with a violation of law that is also a violation of this Student Code; for example, if both violations result from the same factual situation, without regard to the dependency of civil litigation in court or criminal prosecution. Proceedings under this code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.
- 2. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a hearing board under the Student Code, however, the University may advise off-campus authorities of the existence of the Student Code and how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of the student violators. Individual students and faculty members acting in their personal capacities remain free to interact with governmental representatives as they deem appropriate.

ARTICLE IV: DISCIPLINE POLICIES

I. CHARGES

A. Who May File

Any member of the University community, including the University itself, may file charges against any student or organization of the University for misconduct. Rules and regulations for students to observe are located in the Student Handbook, Residential Life Contract, Residential Life Guidebook, and the Undergraduate and Graduate Catalogs. Persons wishing to file any charges based on the Student Code of Conduct must do so through the Office of Student and Community Services. Charges shall be prepared in writing and submitted to the Vice President for Student and Community Services in a reasonable period of time, generally considered to be within 15 days of violation. The University reserves the right to extend this deadline, particularly in cases involving criminal prosecution.

B. Academic Disciplinary Charges

If the charge involves academic dishonesty, the following procedures apply: In cases where a professor has reason to believe that a student has cheated on an examination or committed plagiarism in a paper, the professor should discuss the matter with the student promptly.

1. If the matter involves a grade for a paper or test (as opposed to a grade for the course) and the student agrees with the professor's assignment of an "F," nothing further needs to be done. (If the test is graded numerically, the grade assigned would be no greater than one-half the value deemed to be the minimum score for a "C.") If the student does not agree, he or she may request that the matter be reviewed by the department chair, who shall decide the matter with no further recourse. (Should the professor assigning the grade also happen to be the department chair, the matter would then be appealed to the school dean, who shall decide the matter with no further recourse.) In either event, if a grade of "F" is assigned, a brief written report of the matter should be furnished to the assistant provost or other administrator by the professor.
2. If the matter involves assigning a grade of "F" for the course, the professor shall also promptly discuss the matter with the student. If the student agrees to accept the grade, a brief written report should be sent to the Provost or other administrator. If the student does not accept the grade, he or she may then request a review by the department chair. If the department chair agrees with the student, the matter is considered permanently concluded. If the department chair does not agree with the student, he or she may then appeal the matter to the school dean. The meeting with the school dean will also include the department chair and professor. In cases where the full penalty prospectively assessable against the student is limited to a grade of "F" (and other penalties such as suspension or expulsion are not contemplated), the decision of the school dean shall be final.
3. If the school dean should conclude that the seriousness of the offense warrants consideration of a penalty more serious than assignment of a grade of "F" for the course, the matter will be referred to the University Disciplinary Committee. (Examples of such offenses will include, but not be limited to,

theft of exam materials, sale or distribution of stolen material, repeat incidents of academic dishonesty by the same student, and taking an exam for another student.)

4. If, in its discretion, the University Disciplinary Committee decides that the matter need be pursued no further, the assignment of a grade of "F" is considered the only penalty and the matter is, accordingly, concluded. If, on the other hand, the University Disciplinary Committee decides that the matter must be pursued further, then the matter will be heard by the University Disciplinary Committee. Such a case would be presented to the University Disciplinary Committee by the Assistant Vice President of Student Services, appropriate academic administrator, or combination thereof.
5. A repeat offense shall normally be deemed by the Vice President for Academic Affairs/Provost or the University Disciplinary Committee to carry a penalty of academic suspension for no less than one full semester. Further offenses by the same individual may result in penalties ranging from a year's suspension to expulsion.

C. Non-Academic Disciplinary Charges

In cases involving non-academic matters, the Office of Student and Community Services, Judicial Affairs, or Residential Life shall conduct an investigation to determine if the charges have merit. If the charges are found to have merit, the charges shall be presented to the accused student in writing.

D. Defense Statements

Students charged with an alleged violation of the Student Code of Conduct may submit on their behalf statements, records, or any other information, including the reports of witnesses bearing on the charges brought against them. All information should be submitted immediately but no later than ten days after being charged.

E. Disciplinary Hearings

If the Office of Student and Community Services determines that the alleged misconduct requires a hearing, a notice will be sent to the student(s)/ organization(s) charged and all other pertinent parties. The notice will specify the date, time, and place of a hearing. Although complainants/ defendants may have input into the selection of an appropriate hearing body, the Vice President for Student and Community Services will ultimately determine the appropriate hearing forum. Students will be provided with notice seven business days prior to a hearing.

F. Extensions

The Vice President for Student and Community Services reserves the right to grant extension of stated time periods within Section I.

G. Student Judicial Process

The use of attorneys-at-law is not permitted during the student judicial process. In addition, the Office of the Vice President for Student and Community Services has a policy not to involve parents in any discussions regarding student discipline at the University without the express written permission of the student(s) involved.

H. Presentation of Charges

The Vice President shall designate an employee of the Office of Judicial Affairs, or other University employee, to present the charges to the appropriate hearing body on behalf of the complainant in all cases where the University is the complainant and in those cases where an individual is the complainant but the Vice President determines, in her sole discretion, that the best interests of the University community necessitate that the individual complainant not be required to present the charges to the hearing body him- or herself. In all other cases, individual complainants shall be responsible for presenting the charges which they have filed to the appropriate hearing body.

II. HEARINGS

The University Disciplinary Committee or Judicial Hearing Panel are empowered to hear student judicial matters.

The University Disciplinary Committee has student and faculty representation and has been established to assist in the judicial process. The University Disciplinary Committee is composed of two students, five members of the faculty, and the Vice President for Student and Community Services or her designee (ex-officio). The student members shall be appointed (with the approval of the SGA President) by the Vice President for Student and Community Services. They shall be full-time students in good academic standing and may not be under any disciplinary sanction during the term of their appointment.

The University Disciplinary Committee will always hear violations 1 and 3 of the Code if the student charged with the violation requests a hearing, and any other matter sent to it by the Vice President for Student and Community Services. The Vice President for Student and Community Services shall not sit with the committee during a hearing. Five voting members will be present in order to conduct a hearing. In the event of sickness, conflict of interest, or other circumstances requiring a substitute, the Faculty Council Committee on committees will select alternate faculty members and the Vice President will select alternate students.

A Judicial Hearing Panel or officer may be utilized in lieu of the University Disciplinary Committee. This panel is made up of one member of the administration, one faculty member from the University Disciplinary Committee, and one student designated by the Student Government Association. The Vice President for Student and Community Services or her designee reserves the right to substitute a member of the administration for the student member for interim suspension hearings and during semester breaks and holidays when students are not generally present on the campus.

The University Disciplinary Committee or Judicial Hearing Panel may recommend sanctions as listed in Article IV, Section III, to the Vice President for Student and Community Services. Students may also waive their right to a hearing, electing to agree to the violation as charged and accepting a sanction as determined by the Vice President or designee. Students choosing this option must do so in writing.

The Vice President has sole authority and responsibility for determining the appropriate hearing board.

A. Hearing Notifications

The notice of the date, time, and place of the hearing will be made in writing to all parties involved in the process not less than seven calendar days before the date of the scheduled hearing.

B. Request for a Judicial Hearing Panel

A student charged with a violation of the Student Code of Conduct may request in writing, not less than two working days prior to the date of a discipline hearing, a Judicial Hearing Panel in preference to a scheduled committee hearing if the case has been sent by the Vice President for Student and Community Services to the University Disciplinary Committee. A Judicial Hearing Panel may then be granted if hearing officers are available.

C. Statements of Witnesses

Every effort will be made to obtain names and written statements of witnesses and documentary evidence for both the complainant(s) and student(s)/organization(s) charged. If available, these documents must be submitted to the Vice President at least five days prior to a hearing. The student(s)/organization(s) charged with a violation of the Code may receive, upon request, copies of such statements from the Vice President's office.

The hearing body may preclude the testimony of any witness who does not submit a statement in conformance with this requirement if, in the opinion of the hearing body, allowing such testimony would substantially impair either the complainant's or the charged individual's/organization's ability to effectively present their case. In making this determination, the hearing body shall consider such factors as the reasons why a statement was not filed, the nature of the testimony to be given by the proposed witness, the extent to which either party may be disadvantaged by not receiving the proposed witness's statement prior to the hearing and other appropriate factors.

D. Control of Hearing Proceedings

The presiding hearing officer shall exercise control over the manner in which the hearing is conducted to avoid unnecessary lengthy hearings and to prevent harassment or intimidation of witnesses. Anyone who disrupts a hearing or who fails to adhere to hearing guidelines may be excluded from the proceedings and is subject to disciplinary action. (See Article III; Section B; No. 18)

E. Burden of Proof

The burden of proof shall be on the complainant(s), who must establish that it is more likely true than not true that the alleged violation took place. It should be noted that the issue is not dependent upon the number of witnesses who testify on either side, but rather upon the credibility and weight which is attributed to such testimony.

F. Rules of Procedure and Evidence

Hearings shall be conducted in such a manner as to do substantial justice, but shall not be unduly restricted to rules of procedure or evidence. Circumstantial and hearsay evidence, as defined in Appendix #1, are admissible in a disciplinary hearing.

G. Confidentiality

The chairperson shall honor the rules of confidentiality and privilege but shall otherwise admit all matters into evidence which reasonable persons would accept as having value in the conduct of their affairs.

H. Privacy of Hearings

The hearing shall be conducted in private. People not directly involved in the hearing are excluded from the proceedings. In hearings involving more than one student, individual hearings may be permitted at the discretion of the Vice President.

I. Right to Assistance

The complainant(s) and the accused individual(s) or organization(s) have the right to be assisted at a hearing by an advisor who is a member of the University community. A member of the University community shall include any current member of the faculty, administration, staff, or student body. Under no circumstances may the advisor be an attorney-at-law. The complainant and/or the accused is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a hearing board officer.

J. Questions During Hearings

The hearing body may address questions to any party during the proceedings or to any witness called by the parties or by the hearing board. Complainant(s) and the accused individual(s) or organization(s) may also question witnesses.

K. Evidence for Consideration

Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by a hearing board officer at the discretion of the chairperson.

L. Appearance of Witnesses

The hearing board officer may require the presence of witnesses by sending them a letter via certified mail, return receipt requested or via email with a read/received receipt. University students and employees are expected to comply with such requests unless a verified hardship would result.

M. Failure to Appear at Hearings

The failure of individuals or organizations charged with misconduct to appear at a hearing after proper notice will not prevent the hearing from taking place or invalidate the outcome.

N. Affirmation of Testimony

All parties to the hearing, including the complainant(s), accused, and witnesses called will be asked to affirm that their testimony is truthful and may be subject to charges of perjury, pursuant to Article III, Section B, No. 1, of this code.

O. Exclusion During Testimony and Deliberations

Prospective witnesses, other than the complainant(s) and accused, may be excluded from the hearing during the testimony of other witnesses. Exceptions to this provision would include a witness who is a victim in the matter. Witnesses are not to discuss the case or the proceedings outside the hearing room. Such

discussion is a violation of Article III, Section B, No. 18, and may subject the witness to disciplinary sanctions. All parties shall be excluded during board deliberations.

P. Recording of Hearings

A taped record of the hearing shall be made. These tapes will be under the control of the Vice President for Student and Community Services.

Q. Determination of the Hearing Board

After the hearing, the hearing board shall determine (by majority vote if the hearing board consists of more than one person) whether the student/organization has violated each section of the Student Code which the student/organization is charged with violating.

R. Written Report of Proceedings

The chairperson, on behalf of the hearing board, shall prepare a written report to the Vice President for Student and Community Services consisting of:

1. A summary of the hearing to include:
 - a. a statement of charges.
 - b. evidence presented to the board.
2. The decision of the hearing board.
3. Recommended sanctions.

S. Availability of Hearing Board Report

The written record shall be available at the discretion of the Vice President to all parties of the hearing.

T. Notification of Hearing Board Decision

The Vice President will notify the complainant and the accused individual/organization of the decision of the hearing board. The President of the University will also be notified of the decision of the hearing board in cases involving suspension or expulsion from the residence halls or University.

III. SANCTIONS

A. The following sanctions may be imposed, or imposed but held in abeyance upon certain specified conditions, upon any individual or organization found to have violated the Student Code of Conduct:

1. **Warning**—A verbal or written warning to the student that continuation or repetition of misconduct within a stated period of time may be cause for more severe disciplinary action.
2. **Restitution**—Reimbursement for damages to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

3. **Education/Work Assignment**—A requirement to participate in a campus educational program or activity or assignment to perform a number of service work hours within a campus department.
4. **Fines**—A monetary fine may be imposed as part of a student’s sanction. Fines paid to a local community will be taken into consideration. Fines are payable within a prescribed period of time to the Office of Student and Community Services.
5. **Disciplinary Probation**—May include, but not be limited to, the possible exclusion or restricted participation in privileges or extracurricular University activities for a specified period of time, including the possibility of more severe disciplinary sanctions in the event of further violation of any University regulations during the period of disciplinary probation.
6. **Residence Hall Probation**—A defined period of time whereby a student living in residence is given an opportunity to modify his/her behavior prior to losing the privilege of living on campus. Further violation of the Student Code of Conduct or the terms and conditions of the Residence Hall Contract will result in suspension from residence.
7. **Residence Hall Suspension**—Separation of the student from the residence halls for a defined period of time, after which the student is eligible to return. Students under a residence hall suspension are also banned from all University owned and/or sponsored housing as well as the property and parking lots contiguous to that housing including but not limited to the residential quad.
8. **Residence Hall Expulsion**—Permanent expulsion of the student from the residence halls. Students under a residence hall expulsion are also banned from all University owned and/or sponsored housing as well as the property and parking lots contiguous to that housing including but not limited to the residential quad.
9. **Assignment of a Grade**—In the event that a student is found in breach of rules governing academic dishonesty, e.g., plagiarism, cheating, etc., an appropriate grade may be assigned by the faculty member for the work in question or for the course.
10. **Suspension**—Separation of the student from the University for a definite period of time. Students suspended will be excluded from all classes and activities at the University. Students under a suspension are restricted from being on any University premises without advance approval from the Office of Student and Community Services or Residential Life. The conditions of readmission shall be stated in the order of the suspension. This action will be on record in the disciplinary files of the Vice President (unless specifically agreed to in the order of suspension).
11. **Expulsion**—Permanent separation of the student from the University. This action will be permanently on record in the disciplinary files of the Vice President. Students under an expulsion are restricted from being on any University premises without advance approval from the Office of Student and Community Services or Residential Life.

12. **Consultation and/or Assessment**—Student may be assigned a consultation and/or assessment with a psychological counselor.
13. **Letter of No Contact**—A directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, e-mail, electronic, telephone, or third parties.

Please note: Students suspended or expelled for disciplinary reasons will not be entitled to any refund of tuition or fees paid, this includes but is not limited to room and board.

B. Number of Sanctions Per Violation

More than one of the sanctions listed above may be imposed for any single violation.

C. Sanctions Imposed on Groups/Organizations

The following sanctions may be imposed upon groups or organizations:

1. Sanctions listed above in Letter A, 1–5.
2. Deactivation—loss of all privileges, including University recognition, for a specified period of time.

D. Interim University or Residence Hall Suspension

In certain circumstances, the Vice President, or a designee, may impose a University or residence hall suspension prior to the hearing before a hearing board.

1. Interim suspension may be imposed only:
 - a. to ensure the safety and well-being of members of the University community or preservation of University property;
 - b. to ensure the student's own physical or emotional safety and well-being;
 - c. if the student poses a definite threat of disruption or interference with the normal operations of the University.
2. During the interim suspension, students shall be denied access to residence halls and/or the campus (including classes), and/or all other University activities or privileges for which the student might otherwise be eligible as the Vice President may deem appropriate. A hearing will be held within five business days of the date of the imposition of the interim suspension to ascertain if the interim suspension should continue until the matter is resolved through the internal disciplinary process. Students suspended on an interim basis will be notified of the date, time, and place of the hearing by the Office of the Vice President for Student and Community Services.

E. Appeals

1. Except as required to explain the basis of new evidence, an appeal shall be limited to the review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
 - a. The hearing process as described in the code was violated.
 - b. A violation of individual/organization rights as outlined in this document.
 - c. Submission of new evidence sufficient enough to alter a decision, or other relevant facts not brought out in the original hearing because such facts were not known to the person appealing at the time of the original hearing.
 - d. To determine whether the sanction(s) imposed were appropriate for the violation(s) of the Student Code which the student was found to have committed.
2. A decision reached by a hearing board or a sanction imposed in a non-academic matter may be appealed by the accused individual/organization or complainant. The appeal must be submitted in writing to the Vice President within seven calendar days of the receipt of the finding by the hearing board.
 - a. The Vice President shall review the matter and render a decision on the appeal.
 - b. Within seven days of the receipt of the decision by the Vice President for Student and Community Services, an appeal can be made to the President. The President shall make a final decision on the case. Following the President's decision the matter shall be concluded with no further recourse. Only a final decision by the Vice President that imposes disciplinary action, or dismisses the charges, may be appealed to the President.
3. Decisions involving academic dishonesty cases may be appealed as follows:
 - a. The individual who wishes to appeal the decision of a hearing board must file a written appeal with the Vice President for Academic Affairs/Provost, including a statement on the grounds for appeals with seven days of receipt of written notification of the decision. Upon receipt of this notice, the Vice President for Academic Affairs/Provost will review the decision of the hearing board.
 - b. Following the decision by the Vice President for Academic Affairs/Provost, an appeal can be made to the President within seven days of receipt of the decision from the Vice President for Academic Affairs/Provost. Only a final decision by the Vice President for Academic Affairs/Provost which imposes disciplinary action or dismisses the charges may be appealed to the President.

Following the President's decision the matter shall be concluded with no further recourse.

F. Victim Notification

The University will, upon written request, disclose to the alleged victim of any crime of violence, or a nonforcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such a crime or offense is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim. (For information regarding the notification of victims of sexual assault refer to the Sexual Assault Policy and Procedures on pages 105-108.)

APPENDIX #1

Circumstantial and Hearsay Evidence

Circumstantial Evidence

In certain instances the party making the complaint and the student charged will be unable to present witnesses who can testify based on their own direct knowledge that a certain event has occurred. It is not necessary that an entire case be made by direct evidence. Lacking direct evidence, circumstantial evidence may be used to prove certain facts. Here, circumstances are made known from which the hearing board, based on their common experience, may infer that other connected facts reasonably follow.

Hearsay Evidence

Hearsay evidence is when someone reports that another person has witnessed or said something relevant to the case. Generally, hearsay evidence is inadmissible. However, in the following circumstances, hearsay may be admitted:

1. The statement subjects the witness to a liability that a reasonable person would not want to incur.
2. The statement narrates, describes, or explains an event perceived by the witness.
3. The statement is made by a prior witness at the hearing and when so made was admissible.

APPENDIX #2

What You Need to Know About a Hearing

Complaining Party

1. You will be asked to submit a complaint in writing to the Vice President for Student and Community Services. This complaint should specify the violation as well as all the facts involved. This statement must also include the names of witnesses involved.
2. You will be expected to appear at the hearing to verbally state what you have written to the hearing board.

3. Any witnesses to the event should be asked to write a statement and be willing to speak at a hearing. Statements should be submitted to the Vice President at least five days prior to the hearing. These statements may be given to the defendant prior to the hearing.
4. The preponderance of proof is on your shoulders since you are the person making the complaint. It is therefore imperative that you prepare your case thoroughly and be prepared to convince an impartial board that a student misconduct has more than likely occurred.
5. You will be questioned by the hearing board either after your statement or after witnesses, pro and con, have testified. Members of the hearing board as well as the defendant are permitted to question the complainant and witnesses. There may be times when the complainant feels as if he/she is the guilty one due to the extensive questioning. However, the complainant should remember that the outcome can affect the academic and personal life of the person involved and is therefore a very serious matter requiring extensive questioning.
6. You are permitted to question the defendant(s) and any witnesses pro and con.
7. During the hearing, you and the defendant(s) will be present for all testimony.
8. When the hearing board feels that all testimony and questions have been exhausted, all of those involved will be dismissed from the room.
9. You will be notified of the decision by the Vice President.
10. The appeals process is as stated.
11. The hearing is tape recorded as a transcript of the hearing.
12. The hearing is closed and strictly confidential.
13. You have the right to bring in an advisor from within the University community who is not permitted to speak in the hearing but may advise you during the process.

Student Charged

1. You have been charged with a violation of academic or social conduct at the University. This is a serious situation since it can jeopardize your standing at the University.
2. If you do not appear for the hearing, the hearing may still take place without you based on the evidence that has to be presented.
3. Although you have the right to remain silent both in your meeting with the investigating officer and the hearing board, it is probably to your benefit to express your side of the situation.
4. Prior to the hearing you may receive, upon request, statements of the complainant(s) and witness(es) who will be speaking concerning your case. You may also receive, upon request, copies of written evidence to be used against you during the hearing.

5. If you have witnesses on your behalf, you should tell them to submit written statements to the Vice President five days prior to the hearing and to be willing to speak at the hearing. Names of witness(es) should be provided immediately upon your being charged.
6. You have the right to bring in an advisor from within the University community who is not permitted to speak in the hearing but may advise you during the process.
7. During the hearing, you and the complainant(s) will be present for all testimony unless you choose not to be present for the hearing. (See #2.)
8. You are permitted to question complainant(s) and any witness(es) pro and con.
9. You will be thoroughly questioned by the hearing board members as well as the complainant(s).
10. When the hearing board feels all testimony and questions have been exhausted, all of those involved will be dismissed from the room.
11. You will be notified of the decision by the Vice President.
12. The appeals process is as stated above.
13. The hearing is tape recorded as a transcript of the hearing.
14. The hearing is closed and strictly confidential.

Monmouth University, through the Office of the Vice President for Student and Community Services, reserves the right to change or alter any of the material presented in this publication at any time to ensure the proper conduct of the residential life program and campus life in general. Any such changes or alterations will be preceded by written notice, and shall become effective one week from the date of distribution of such notice to students.

It is the sole responsibility of the student to read and understand all such notices; including all notices regarding closing or check-out procedures. Failure to read and understand such notices shall not absolve any student of the responsibility for complying, or the consequences of failure to comply, with such changes, alterations, or procedures.



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