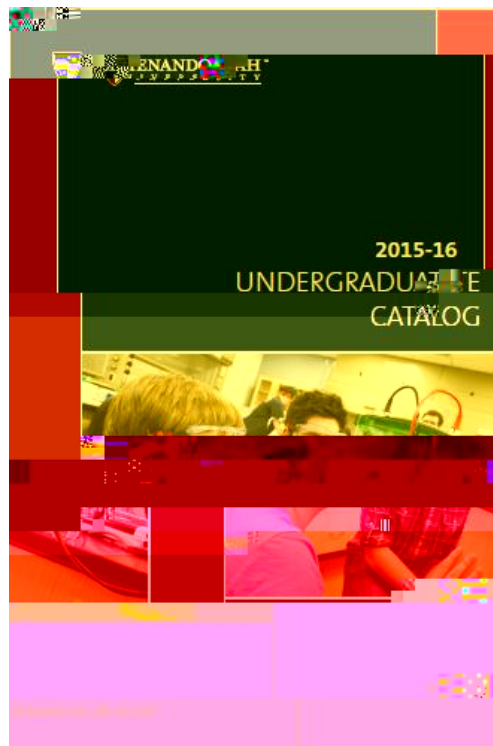


# UNDERGRADUATE CATALOG 2015-16

02.10.2016 ADDENDUM



## Corrections & Updates:

General Information: Accreditation: Filing a Complaint

Student Life Policies: Bicycles, mopeds, skateboards, skates,  
hoverboards (inappropriate use of)

Sexual/Gender Harassment, Discrimination  
and Sexual Misconduct Policies, Procedures  
and Transcript Notations

## Accreditation

Shenandoah University is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award baccalaureate, masters and doctorate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call (404) 679-4500 for questions about the accreditation of Shenandoah University.

## Filing a Complaint

To file a complaint against Shenandoah University for alleged non-compliance with an accreditation standard or requirement, you may download the SACSCOC policy on [Complaint Procedures](#) from the [Southern Association of Colleges and Schools – Commission on Colleges](#) website. Please note that the SACSCOC complaint process is not intended to be used to involve the Commission in disputes between individuals and member institutions or to cause the Commission to interpose itself as a reviewing authority in individual matters; nor does the policy allow the Commission to seek redress on an individual's behalf. The primary purpose of the SACSCOC complaint procedure is to acquire valuable information regarding an accredited institution's possible non-compliance with accreditation standards, policies and procedures rather than to resolve individual disputes.

To register a complaint against Shenandoah University for any reason unrelated to accreditation, please contact the President's Office at 540-665-4505 or by email at [pres@su.edu](mailto:pres@su.edu).

Normal inquiries about the institution, such as admission requirements, financial aid, educational programs and the like should be addressed directly to the institution and not to the Commission office.

Once all institutional processes have been exhausted and the issue is not resolved, students may file a formal complaint with the State Council of Higher Education for Virginia (SCHEV). SCHEV can be contacted at 804.225.2600 or through the SCHEV Complaint Process website: <http://www.schev.edu/students/studentcomplaint.asp>.

## Other Accreditation Bodies

Accreditation Council for ...

[New section to be inserted on page 13 within the Accreditation section in the Undergraduate General Information chapter.]

Bicycles, mopeds, skateboards, skates, hoverboards (inappropriate use of) – Bicycle racks are located at each residence hall and many academic buildings, therefore individuals may not secure bikes or mopeds to fire hydrants, light poles, street signs, etc., or any place where a chained bicycle obstructs or impedes pedestrian or vehicular traffic, including handrails, corridor railings, doorways and handicapped access ways. Motorized bicycles (mopeds) are not to be driven on lawns or sidewalks. Skateboards are permitted only on sidewalks and parking lots unless otherwise posted. The use and storage of hoverboards on campus property is not permitted due to safety risks.

[Replaces Bicycles, mopeds, skateboards, skates (inappropriate use of) section on page 100 to include hoverboards in the Undergraduate Student Life Policies chapter.]

# Shenandoah University's Sexual/Gender Harassment, Discrimination and Sexual Misconduct Policy

## Statement Against Discrimination

All members of the Shenandoah University community including guests and visitors have a reasonable expectation to be free from all forms of sex/gender harassment, misconduct, and discrimination. Sexual harassment includes quid pro quo (this for that) and hostile environment harassment. Sexual misconduct occurs when two individuals engage in any sexual acts and one individual does not consent to the sexual act or withdraws/withholds consent to a sexual act. Examples of sexual misconduct can include acts of sexual harassment, sexual assault (which includes both non-consensual sexual contact, non-consensual sex), sexual exploitation, domestic violence, dating violence, and stalking. Gender/Sex discrimination occurs when one party is treated differently or singled out because of his/her gender in any education program or activity.

Sexual harassment, discrimination and misconduct violate Shenandoah University policy and federal civil rights law, including the Title IX Education Amendments of 1972. As a recipient of federal funds, the University complies with Title IX of the Education Amendments of 1972 (Title IX). Title IX provides that: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

## Introduction

All members of the campus community, including visitors and guests, are expected to conduct themselves in a manner that does not infringe upon the rights of others. The university believes in zero tolerance for sex/gender-based misconduct both on and off campus. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a responding party is found to have violated this policy. All university employees, staff, and faculty are responsible employees. Responsible employees are required by federal law to report to the Title IX Coordinator any allegations of sexual misconduct that are reported to them. The only employees exempted from this reporting requirement are as follows: The staff at the Wellness Center, the staff and volunteers at the [Not] Just Women's Center, Rev. Justin Allen, Rev. DeLyn Celec, the counseling staff located in Cooley Hall and Elizabeth Hand, the Safety & Health Programs Coordinator. These exempted employees are not required to make any reports to the Title IX Coordinator and are considered a confidential resource.

Shenandoah University is committed to investigating and adjudicating reports of sexual harassment, misconduct, and discrimination according to the policies of the University. The University will provide support to both the victim and the responding party

The university uses the preponderance of the evidence (also known as "more likely than not") as a standard for proof of whether a violation occurred. In campus resolution proceedings, legal terms like "guilt," "innocence" and "burdens of proof" are not applicable, but the university never assumes a responding party is in violation of university policy. Both parties will present their facts and the Title IX Coordinator will determine whether it is more likely than not that an act of sexual misconduct, harassment, or discrimination occurred. Campus resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

This policy uses the term "victim" instead of "survivor". This is intentional on our part. Rather than assuming a victim is a survivor, we believe each victim needs to decide at their own pace, whether and how they will become survivors. It is not for us to presume it. Once a victim enters the process, we refer to them as the "repor





Individuals experiencing harassment or discrimination also always have the right to file a formal grievance with government authorities:

Office for Civil Rights (OCR)

400 Maryland Avenue, SW

Washington, DC 20202-1100

Customer Service Hotline #: (800) 421-3481

Facsimile: (202) 453-6012

TDD#: (877) 521-2172

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Web: <http://www.ed.gov/ocr>

In the event an incident involves alleged misconduct by the Title IX Coordinator, reports should be made directly to the director of residence life. The office is located in Cooley Hall 212. The phone number is 540-545-7399.

## Sexual Misconduct Offenses Include, But Are Not Limited To

- Sexual Harassment

- Sexual Assault

  - Non-Consensual Sexual Contact (or attempts to commit same)

  - Non-Consensual Sexual Intercourse (or attempts to commit same)

- Sexual Exploitation

- Domestic Violence (Intimate partner violence)

- Dating Violence (Intimate partner violence)

- Stalking

### 1. Sexual Harassment

Sexual harassment is:

- unwelcome,

- sexual, sex-based and/or gender-based verbal, written, online and/or physical conduct.

Anyone experiencing sexual harassment in any University program is encouraged to report it immediately to the Title IX Coordinator or a deputy. Remedies, education and/or training will be provided in response.

There are two types of sexual harassment that may be disciplined. They include harassment that creates a hostile environment and quid pro quo (this for that) harassment.



## A. Hostile Environment:

A hostile environment is created when sexual harassment is:

Sufficiently severe, or

Persistent or pervasive, and

Objectively offensive that it:

Unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the university's educational, employment, social and/or residential program.

A totality of the circumstances test will be used to determine if the conduct is severe, pervasive, or persistent. The following factors will be analyzed to determine if a hostile environment has been created:

Frequency of conduct

Nature and severity of the conduct Physically threatening

Humiliating

Identity and relationship between alleged harasser and the subject or subjects of the harassment

Age and sex of the alleged harasser and the subject of the harasser

Size of the school

Location of the incidents

Context

Effect on the alleged victim's mental or emotional state

Whether the Conduct was directed at more than one person

Whether the conduct unreasonably interfered with alleged victims educational or work performance.

Whether the statement is an utterance, epithet which is offensive or offends by discourtesy or rudeness.

Whether the speech or conduct deserves protection of academic freedom or First Amendment Protection.

## B. *Quid Pro Quo* Harassment

harassment occurs when

A person who has power or authority over another

Makes unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature AND

Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development, or performance.

includes receiving employment or academic status in exchange for sexual favors OR when a person is denied deserved employment or academic status because he or she refused a sexual request.

A totality of the circumstances test will be used to determine if the conduct is harassment. The following factors will be analyzed to determine if harassment has been created:

Some examples of possible Hostile Environment and Sexual Harassment include:

A pattern of conduct causing discomfort or humiliation, for example, unnecessary touching, gestures of a sexual nature, or remarks of a sexual nature, including comments about dress, jokes, or anecdotes.

A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.

A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live. Explicit sexual pictures are displayed in a professor's office or on the exterior of a residence hall door

Two supervisors frequently 'rate' several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.

A professor engages students in her class in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.

An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus

Male students take to calling a particular brunette student "Monica" because of her resemblance to Monica Lewinsky. Soon, everyone adopts this nickname for her, and she is the target of relentless remarks about cigars, the president, "sexual relations" and Weight Watchers.

A student grabbed another student by the hair, then grabbed her breast and put his mouth on it. While this is sexual harassment, it is also a form of sexual violence.







A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate the gift deliveries to stop. The student then started leaving notes of love and gratitude on the graduate assistant's car, both on-campus and at home. Asked again to stop, the student stated by email: "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything necessary to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. We are meant to be together."

## Other Misconduct Offenses (Will Fall Under Title IX When Sex or Gender-based)

Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;

Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender;

Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;

Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group affiliation activity (as defined further in the Hazing Policy);

Bullying, defined as

- o Repeated and/or severe
- o Aggressive behavior

- o Likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally







voluntary [or affirmative, conscious and voluntary],  
words or actions,  
that give permission for specific sexual activity.

#### Key Concepts for Consent:

Consent is active, not passive.

Silence, in and of itself, cannot be interpreted as consent.

Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.

Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.

Previous relationships or prior consent cannot imply consent to future sexual acts.

Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.

In order to give consent, one must be of legal age.

#### Incapacitation and Consent

Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy.

Incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, or blackout.

The question of what the responding party should have known is objectively based on what a reasonable person in the place of the responding party, sober and exercising good judgment, would have known about the condition of the reporting party.

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to p





A romantic relationship that persists may result in a change of supervisory or evaluative

Conduct suspension: a temporary cancellation of a student's enrollment at Shenandoah University with approval from the vice president for student life (or designee). Once assigned this sanction, a student is immediately removed from classes and banned from university property. A student cannot enter university property during his/her term of suspension without prior permission from the vice president for student life (or designee) nor graduate. Any classes taken at another institution suspended typically cannot be transferred to Shenandoah University unless given special permission by the vice president for student life and the Academic Dean. If a student lives in campus housing, he/she has 24 hours to vacate his/her campus residence.

Campus ban: student is banned from being present on either the entire campus or specified areas of the campus.

Dismissal from the university: a permanent cancellation of a student's enrollment at Shenandoah University with approval from the vice president for student life (or designee). Once assigned this sanction, students are immediately removed from classes and banned from university property. A student cannot enter university property once dismissed without prior permission from the vice president for student life (or designee) nor re-enroll or graduate from Shenandoah University.

Additional stipulations: additional sanctions a student must complete and/or follow.

Emp





Questions and



Will my parents be told?

Whether you are the reporting party or the responding party, the uni

How do I file criminal charges?

The reporting party is not required to file criminal charges or contact law enforcement. The reporting party may elect to file either criminal charges and/or a complaint, or both. If the sexual assault or gender-based incident occurred on main campus or in a university-owned building downtown, call the Winchester Police Department at 540/662-4131. If the incident occurred at East Campus Commons or the Health Professions Building, call the Frederick County Sheriff's office at 540/665-5600. If you wish to seek an emergency protective order you may go to the Winchester Magistrate office located at 141 Fort Collier Rd., Winchester.

What are my options for obtaining a protective order?

Victims of sexual misconduct may want to prevent communication between themselves and the other party. A protective order is a legal document that can help prevent such communication. There are four different types of Protective Orders: Emergency Protective Orders, Preliminary Protective Orders, Protective Orders and University-Based No Contact Orders. All four are issued through different processes and can all be active concurrently. Any person who obtains a protective order should provide a copy to the Department of Public Safety and the Office of the Title IX Coordinator. A reporting party may then meet with the Department of Public Safety to develop a Safety Action Plan, which is a plan for campus security and the reporting party to reduce risk of harm while on campus or coming and going from campus.

Violations for Emergency Protective Orders, Preliminary Protective Orders, and Protective Orders, may result in criminal charges, while violations of University-Based No Contact Orders may result in disciplinary action by the University.

Emergency Protective Orders (EPO): Victims can petition for an EPO at the local Magistrate office at no cost, even if there is no related criminal case. The Winchester magistrate is located at 141 Fort Collier Road, Winchester, Virginia. An EPO is generally valid for 72 hours but may be extended by the court.

Preliminary Protective Orders and Protective orders, are issued by the court and prohibit the defendant from contacting the victim(s). These may expire at the end of a criminal case, and victims should keep in contact with their victim witness coordinator and prosecutor to know when a No Contact Order has been imposed or will expire.

University-based No Contact Order: Shenandoah University may choose to impose a University-based No Contact Order when appropriate. To request a University-based No Contact Order, please contact the Title IX Coordinator at 540 665 4921, or by email at: [nosexualmisconduct@su.edu](mailto:nosexualmisconduct@su.edu).

How is a report of sexual misconduct decided?

The university investigates allegations of sex/gender based harassment, discrimination or sexual misconduct to determine whether there is evidence to indicate a policy violation is "more likely than not." This standard, called the preponderance of the evidence, corresponds to an amount of evidence indicating a p

What are interim measures that may be used during an investigation?

Assistance from university support staff in completing a room relocation;

Arranging to dissolve a housing contract and pro-rating a refund;

Help with finding an off-campus residential alternative;

Assistance with or rescheduling an academic assignment (paper, exams, etc.) or otherwise implementing academic assistance;

Taking an incomplete in a class;

Assistance with transferring class sections;

Temporary withdrawal;

Assistance with alternative course completion options;

Escorts to and from campus locations;

On or off-campus counseling assistance;

Transportation assistance or support;





## Interim Remedies/Actions

The Title IX Coordinator (or designee) may provide interim remedies intended to address the short-term effects of sexual misconduct, sexual harassment, gender discrimination and/or retaliation, i.e., to redress harm to the alleged victim and the community and to prevent further violations. The university will keep interim remedies and actions as private as possible.

These remedies may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Altering the housing situation of the responding party (resident student or resident employee or the alleged victim, if desired))
- Altering work arrangements for employees
- Providing campus escorts,
- Providing transportation accommodations
- Implementing contact limitations between the parties
- Offering adjustments to academic deadlines, course schedules, etc.
- Assistance with or rescheduling an academic assignment (paper, exams, etc.) or otherwise implementing academic assistance;
- Taking an incomplete in a class;
- Assistance with transferring class sections;
- Temporary withdrawal;
- Assistance with alternative course completion options;

The university may interim suspend a student, employee or organization pending the completion of an investigation and resolution, particularly when in the judgment of the vice president for student life or designee, the safety or well-being of any member(s) of the campus community may be jeopardized by the on campus presence of the responding party or the ongoing activity of a student organization whose behavior is in question. In all cases in which an interim suspension is imposed, the student, employee or student organization will be given the opportunity to meet with the Title IX Coordinator prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The vice president for student life or designee, has sole discretion to implement or stay an interim suspension under the policy, and to determine its conditions and duration. Violation of an interim suspension under this policy is grounds for expulsion or termination.



## Formal Resolution Process for Reports of Misconduct by Employees



The Title IX Coordinator or designee will take the following steps (not necessarily in order):

Ensure the safety and security of the reporting party and/or the victim if the victim is not the reporting party;

Ensure the reporting party and/or victim has access to campus resources such as the [Not] Just Women's Center, on campus counseling services, and The Laurel Center.

Identify the exact policies allegedly violated;

Determine the identity and contact information of the reporting party;

Inform the accused individual in writing of the following: a formal complaint of sexual misconduct has been filed, the nature of the complaint, a formal hearing is to be convened regarding the charges, the maximum disciplinary action that may be taken, and conditions and procedures by which an appeal may be filed. The complainant will also receive a copy of this written notice.

In coordination with campus partners (e.g. the campus Title IX Coordinator), initiate any necessary remedial actions;

Conduct an immediate initial inquiry to determine if there is reasonable cause to charge the responding party, and what policy violations should be alleged as part of the charge;

If there is insufficient evidence to support reasonable cause, the report will be closed with no further action;

Prepare the notice of charges on the basis of the initial inquiry;

Commence a thorough, reliable and impartial investigation;

Complete the investigation promptly;

Provide regular updates to both the reporting and responding parties, as appropriate, throughout the investigation;

Meet with the reporting party and responding party to finalize their statement;

Create an investigation report to be provided to the hearing panel; and

Notify within 30 calendar days from the day the responding party is formally notified of the complaint, convene a hearing panel.

The hearing panel consists of three members: two faculty/staff members and one deputy title IX coordinator from either athletics or human resources. In addition, the Title IX Coordinator will designate a hearing panel chair.

The hearing panel will consider information presented from the reporting party, responding party, necessary witnesses, and the investigation report completed by the Title IX Coordinator. The hearing will determine whether it is more likely than not that the

discrimination, prevent its recurrence, and remedy its effects on the victim and the university community. All parties will receive written notification of the outcome, to the extent permitted by or mandated by law. In cases involving sexual misconduct, sexual harassment, stalking and/or intimate partner violence, the written notification includes the finding, any resulting responsive actions, and the rationale for the decision. This written notification of final decision is delivered to the parties without undue delay and explains appeals options and procedures.

### List of Sanctions for Employees if Found Responsible

An employee may be sanctioned to one or more of the following depending on the seriousness of the violation.

- Censure

- Probation

- Educational experience

- Separation (Suspension)

- Dismissal

### Formal Resolution Process for Reports of Misconduct by Students

The Title IX Coordinator is designated to formally investigate reports of sexual misconduct, gender discrimination and/or sexual harassment by students and to address inquiries/coordinate the university's compliance efforts regarding reports of misconduct by students. In particular, when a responding party is a student the Title IX Coordinator will handle the complaint.

Notice of a formal report can be made in person at Cooley Hall 206, by phone at (540) 665 4921, via email at [nosexualmisconduct@su.edu](mailto:nosexualmisconduct@su.edu) or in writing to Whitney Pennington, Title IX Coordinator. Upon receipt of a report, the Title IX Coordinator will take all necessary remedial short-term actions.

If the reporting party wishes to pursue an allegation or if the university, based on the alleged policy violation, wishes to pursue an allegation, then the Title IX Coordinator or designee begins an investigation. Investigations are completed promptly but may take longer when, for example, initial reports fail to provide direct first-hand information or in complex situations. At any point during the investigation, if it is determined there is no reasonable cause to believe that the sexual misconduct policy has been violated, the Title IX Coordinator has authority to terminate the investigation and end resolution proceedings.

The university's resolution will not typically be hindered because civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. However, the university may undertake a short delay (several days to weeks) in its investigation or resolution process, to comply with a law enforcement request for cooperation (e.g.: to allow for criminal evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. The university will promptly resume its investigation and processes once notified by law enforcement that the initial evidence collection process is complete.

All investigations will be thorough, reliable and impartial, and will entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary.

The Title IX Coordinator will take the following steps (not necessarily in order):

Ensure the safety and security of the reporting party and/or the victim if the victim is not the reporting party;

Ensure the reporting party and/or victim has access to campus resources such as the [Not] Just Women's Center, on campus counseling services, and The Laurel Center.

Identify the exact policies allegedly violated;

Determine the identity and contact information of the reporting party;

Inform the accused individual in writing of the following: a formal complaint of sexual misconduct has been filed, the nature of the complaint, a formal hearing is to be convened regarding the charges, the maximum disciplinary action that may be taken, and conditions and procedures by which an appeal may be filed. The complainant will also receive a copy of this written notice.

In coordination with campus partners (e.g.: the campus Title IX Coordinator), initiate any necessary remedial actions;

Conduct an immediate initial inquiry to determine if there is reasonable cause to charge the responding party, and what policy violations should be alleged as part of the charge;

If there is insufficient evidence to support reasonable cause, the report will be closed with no further action;

Prepare the notice of charges on the basis of the initial inquiry;

Commence a thorough, reliable and impartial investigation;

Complete the investigation promptly;

Provide regular updates to both the reporting and responding parties, as appropriate, throughout the investigation;

Meet with the reporting party to finalize their statement;

Create an investigation report to be provided to the hearing panel; and

Notify within 30 calendar days from the day the responding party is formally notified of the complaint, convene a hearing panel.

The hearing panel consists of three members: two faculty/staff members and one deputy title IX coordinator from either athletics or human resources. In addition, the Title IX Coordinator will designate a hearing panel chair.

The hearing panel will consider information presented from the reporting party, responding party, necessary witnesses, and the investigation report completed by the Title IX Coordinator. The hearing will determine whether it is more likely than not that the responding party violated the policies forming the basis of the charge. The goal of the hearing is to provide an equitable resolution.

At the conclusion of the hearing, the panel will determine if the responding party is responsible or not responsible for the alleged violations. Where the responding party is found not responsible for the alleged violation(s), the investigation will be closed.

The parties will receive written notification of the outcome, to the extent permitted or mandated by law. In cases involving sexual misconduct, sexual harassment, stalking and/or intimate partner violence, the written notification includes the finding, any resulting sanctions, and the rationale for the decision. This written notification of final decision is delivered to the parties without undue delay between the notifications, explains appeals options and procedures, and any changes to the results that could occur before the decision is finalized.

Where the responding party is found in violation as the result of a hearing, the hearing panel will impose appropriate sanctions for the violation. The university will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the university community. Appeal proceedings as described below apply to all parties to the report.

The parties will receive written notification of the outcome of the hearing, to the extent permitted or mandated by law. In cases involving sexual misconduct, sexual harassment, stalking and/or intimate partner violence, the written notification includes the finding, any resulting sanctions, and the rationale for the decision. This written notification of final decision is delivered to the parties without undue delay between the notifications, explains appeals options and procedures, and any changes to the results that could occur before the decision is finalized.

#### List of Sanctions for Students if Found Responsible

A student may be sanctioned to one or more of the following depending on the she the sn is r /P .71 Tmdta 16

Community restitution project: work projects on or off campus.

Restitution: reimbursement by the student to cover the cost of repair or replacement of damaged or misappropriated property.

Fines: monetary sanctions.

annual room selection (lottery) process.

Removal from university housing: required removal from university housing with final approval from the director of residence life & student conduct (or designee) and without the refund of room fees. Once assigned this sanction, a student must move within a designated time frame (usually 48 hours unless otherwise permitted by the director of residence life & student conduct), after which the removed student cannot enter university housing without permission from the director of residence life & student conduct (or designee).

Removal of property: required removal of property.

University housing relocation: requires the student to move to another room, hall or quad with approval from the director of residence life & student conduct (or designee) Student must relocate within 24 hours, after which he/she cannot enter the building from which he/she was removed throughout the term of the sanction without permission from the director of residence life & student conduct (or designee).

Written warning: official record that a student has been warned about behavior.

No-contact order: student is prohibited from having any direct or indirect contact or contact via a third-party with a particular person. Violation may result in suspension.

Restriction of activities or privileges: participation in any and/or all organized university activities other than required academic endeavors are restricted for a designated period of time.

Conduct probation: period of self-reflection during which a student is on official warning that subsequent violations of university rules, regulations or policies are likely to result in more severe sanctions, including suspension or dismissal from the university.

Conduct suspension: a temporary cancellation of a student's enrollment at Shenandoah University with approval from the vice president for student life (or designee). Once assigned this sanction, a student is immediately removed from classes and banned from university property. A student cannot enter university property during his/her term of suspension without prior permission from the vice president for student life (or designee) nor graduate. Any classes taken at another institution suspended typically cannot be transferred to Shenandoah University unless given special permission by the vice president for student life and the academic d



can be subsequently forwarded for reconsideration at the hearing level. If the appeal remands to the hearing body for review, the reconsideration of the hearing body may not be appealed.

Advocate should help their party prepare for each meeting, and are expected to advise









Witnesses are expected to cooperate with and participate in the university's investigation. Any witness who declines to participate in or cooperate with an investigation will not be permitted to offer evidence or testimony later in a hearing. Witnesses may provide written statements in lieu of interviews during the investigation and may be interviewed remotely by phone, Skype (or similar technology), if they cannot be interviewed in person. Parties who elect not to participate in the investigation will have the opportunity to offer evidence during the hearing and/or appeal stages of the process, though failure to offer evidence prior to an appeal does not constitute grounds for appeal on the basis of new evidence.

student conduct, or to the vice president for student life in the event that the potential conflict or bias involves the Title IX Coordinator.

Any panel member who cannot participate because of a conflict of interest must be replaced for that hearing by an appropriate member appointed by the Title IX Coordinator.

#### Admission of Responsibility

If, at any time prior to the hearing, the responding party elects to acknowledge his/her actions and take responsibility for the alleged Sexual Misconduct, he or she may request that the Chair propose a resolution to the charges and a sanction and, with the consent of the reporting party, resolve the complaint without a hearing.

#### Witnesses

The university expects full participation of its community members in the fact finding and the investigation of sexual misconduct claims.

#### Record Keeping

In implementing these procedures, records of all allegations, investigations, and resolutions will be kept by the Title IX Coordinator indefinitely in the electronic Title IX Coordinator database.

## Statement of the Rights of the Reporting Party

When a student or employee reports to the institution that there has been a violation of this sexual misconduct policy, the student or employee will be provided with a written explanation of the student or employee's rights and options.

The right to investigation and appropriate resolution of all credible reports or notice of sexual misconduct or discrimination made in good faith to university officials;

The right to be informed in advance of any public release of information regarding the incident;

The right of the reporting party not to have any personally identifiable information released to the public, without his/her consent.

The right to be treated with respect by university officials;

The right to have university policies and procedures followed without material deviation;

The right not to be pressured to mediate or otherwise informally









The right to a decision based solely on evidence presented during the resolution process. Such evidence shall be credible, relevant, based in fact, and without prejudice;

The right to be informed of the outcome and sanction of the resolution process in writing, without undue delay between the notifications to the parties;

The right to be informed in writing of when a decision of the university is considered final, any changes to the sanction to occur before the decision is finalized, to be informed of the right to appeal the [finding and] sanction of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the university.

For the most up-to-date version of this policy, please visit:

<http://www.su.edu/campus-life/shenandoah-universitys-stance-on-sexual-misconduct/>

## Transcript Notations Concerning Sexual Violence Violations

A prominent notation shall be placed on the academic transcript for each student who has been suspended, permanently dismissed or withdraws while under investigation for an offense involving sexual violence under Shenandoah University's Sexual Misconduct Policy.

The notations will read as follows:

Permanent Dismissal from Shenandoah University for sexual violence under Shenandoah