



Alvernia  
University

*Student*  
*Handbook*

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*Effective January 2026*

## DEPARTMENT DIRECTORY

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Academic Affairs.....	610-796-8340
Academic Success Center .....	610-568-1494
Athletics and Recreation .....	610-796-8276
Billing (Student) .....	610-796-8203
Bookstore .....	610-796-8250
Career Development .....	610-796-8225
Center for Instructional Design and Learning Technologies.....	610-796-8398
Community Standards .....	610-796-5114
Event Management .....	610-796-8210
Global Engagement.....	610-685-3620
Graduate & Continuing Education .....	610-796-8228
Holleran Center for Community & Global Engagement.....	610-790-1925
Information Desk (Veronica Hall) .....	610-796-8251
Information Technology .....	610-927-2008
Justice, Equity, and Inclusion.....	610-796-8207
Learning Center .....	610-568-1494
Library .....	610-796-8223
Mission and Ministry .....	610-796-5512
Navigation Office.....	610-796-8263
Penn Medicine - Alvernia Medical and Counseling Center .....	610-568-1467
Provost .....	610-796-8340
Public Safety .....	610-796-8350
Registrar .....	610-796-8201
Residence Life.....	610-796-8320
Student Activities.....	610-796-8408
Student Financial Services (SFS) .....	610-796-8201
Veterans Center.....	610-685-3425

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## MISSION, VALUES AND VISION

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### The University Mission Statement

Guided by Franciscan values and the ideal of “knowledge joined with love,” and rooted in the Catholic and liberal arts traditions, Alvernia is a rigorous, caring, and inclusive learning community committed to academic excellence and to being and fostering

- *broadly educated, lifelong learners*
- *reflective professionals and engaged citizens*
- *ethical leaders with moral courage.*

**“To Learn, To Love, To Serve”**

### Core Franciscan Values

The mission statements of the Bernardine Franciscan Sisters and Alvernia University are the sources of the five core values of the Franciscan tradition — service, humility, peacemaking, contemplation, and collegiality. To call these values “traditional” to the Franciscan view of the world does not imply that they are merely “old” or without relevance to contemporary society. On the contrary, these basic values have continued, throughout the centuries, to inform a way of life, a view of the world, and a definition of men’s and women’s relationship to their Creator that is perhaps more relevant in today’s world than ever before.

These values are, then, very much alive at Alvernia. Together they form the foundation for decision-making, for program development, and for our relationships with each other in the pursuit of our personal, communal and educational goals. They are what make an education at Alvernia University unique. As members of the Alvernia University community, each of us, no matter our role, willingly proclaim common ownership of these core values.

### Core Franciscan Vision

The vision of Alvernia is to be a distinctive Franciscan university, committed to personal and social transformation, through integrated, community-based, inclusive and ethical learning.

**Integrated Learning**—Combining liberal arts and professional education, and blending rigorous inquiry, practical experience and personal reflection in the classroom, on campus, and in society;

**Community-Based Learning**—Engaging the local, regional and global communities as partners in education and service;

**Inclusive Learning**—Welcoming people of diverse beliefs and backgrounds; responsive to the educational needs of recent high school graduates, working adults and established professionals, and senior citizens; respectful and self-critical in our dialogue about differences in values and perspectives;

**Ethical Learning**—Challenging individuals to be values-based leaders by developing habits of the mind, habits of the heart, and habits of the soul.

Nothing contained in this Student Handbook shall be deemed to permit or authorize discrimination against or exclusion of any person on the basis of race, color, sex, sexual orientation, gender, gender identity, religion, national origin, ethnic heritage, age, disability, citizenship status, veteran status, genetic information, physical appearance, or other characteristics protected by applicable law. It is the express intent of this Student Handbook and its policies and procedures to be inclusive of all persons and to comply with all applicable federal

and state anti-discrimination laws, including but not limited to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Pennsylvania Human Relations Act.

## COMMUNITY STANDARDS

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In this section of the *Student Handbook*, the University outlines the basic rights afforded to students, individually and collectively; the Alvernia University Student Code of Citizenship; and the Community Standards system by which the tenets of the Code are upheld and through which violations are addressed. An Alvernia University student accepts the duties and responsibilities of a member of a private educational community. In return, the University makes available a fair process, as defined below, to every student in situations involving alleged violations of our Student Code of Citizenship.

### **Students' Personal Rights**

- All members of the academic community must recognize the human dignity of each student.
- Each student has the right to equal education and social opportunities without discrimination on the basis of race, color, sex, sexual orientation, gender, gender identity, pregnancy or related conditions, national origin, religion, ethnic heritage, age, disability, citizenship status, veteran status, genetic information, physical appearance, or other characteristics protected by applicable law.
- Each student has the right to manage personal affairs except when such a right conflicts with the good of the community.
- Each student, as a citizen, has the right of petition, freedom of speech, and peaceful assembly, except when such rights conflict with the good of the community.
- Each student has the right to freedom of conscience relating to religious worship and is expected to respect this freedom in others.
- Each student has the right to effective separation of academic and non-academic records. Information from Community Standards, health, or counseling records is not generally made available without the prior written consent of the student involved, except as specifically permitted or required by applicable law (including but not limited to FERPA, HIPAA, and the Clery Act) or in cases in which there is an articulable and significant threat to the health or safety of the student or others.
- Each student has the right to access her or his education records, as provided by the federal Family Educational Rights and Privacy Act (FERPA).

### **Students' Collective Rights**

- Students have the right to organize and join associations to promote their own interests. Campus organizations, including those affiliated with off-campus organizations, should be open to all students. (Reasonable exceptions may be made for academic honor societies.)
- Students, either individually or in organized groups, may engage in political activities which might be interpreted as being for the purpose of influencing legislation or as participating in political campaigns on behalf of candidates for public office. Students involved in these activities have the responsibility of making clear to the academic community and the community-at-large that Alvernia University, as an institution, does not endorse the political views of either the individual or the organized group.
- Student publications and the student press should be free from undue censorship. Student publications shall be entitled to freedom of the press within legal and ethical guidelines pertinent to a private University and the Catholic, Franciscan philosophy of Alvernia.
- Students have the right to consult their instructors, advisors, department chairs, College or School Deans, or the Provost on any academic matters.
- Students shall have access to the Student Government Association (SGA) constitution as well as to any other rules and regulations of the University.

### **Student Code of Citizenship**

Our Student Code of Citizenship supports our mission to be a rigorous, caring, and inclusive learning community committed to academic excellence, and is inspired by our Franciscan Catholic heritage. To be Franciscan is to respect the dignity of each human person and all creation; to be open to the world and its diversity of cultures, faiths, traditions, races, and peoples; to honor right relationships (by which is meant a harmony in all human relationships, as well as with God and with all of creation); and to seek peace through action for justice.

Therefore, each student shall...

- be honest at all times.
- respect the rights of all people, especially those that pertain to...
  - physical and emotional safety and security;
  - views and beliefs;
  - pursuit of personal and educational goals.
- treat others with kindness and empathy.
- act in a civil manner in all settings, including but not limited to:
  - on campus: for example, in classrooms and residences, on the fields and in the stands;
  - off campus: especially in our neighborhood and at University events;
  - in cyberspace.
- respect the physical and intellectual property of others, including the University and our neighbors.
- respect the environment, both human-made and natural.
- read, know, and comply with all published University policies, procedures, rules, and regulations.
- cooperate and comply with the requests and directives of University officials as they fulfill their duties.
- comply with all federal, state, and local laws.

Every student has a degree of responsibility for and to the University community. Therefore, when a student encounters a situation in which one or more other students' or guests' behaviors are not consistent with our code, the student is responsible to take one of these actions: address the situation in question so that the behavior ceases, report the situation to a University official, or, at very minimum, leave the situation. The presence of any student who does not take at least one of those three actions during an incident that violates the Student Code of Citizenship shall be addressed by our Community Standards system.

From time to time, a student may encounter a situation in which it may not be clear whether or which University expectations apply. In such instances, the student should seek guidance from a University official who may reasonably be expected to be able to clarify. When faced with difficult situations, students should ask themselves the following questions:

- Does this action better the community or harm it?
- Is the action both ethical and legal?
- What does my conscience tell me?

Each student is expected to act in ways that fulfill the Student Code of Citizenship both on and off campus beginning with the student's acceptance of admission to Alvernia University and for so long as the student has a continuing relationship with the University. Allegations or failures to meet these expectations will be addressed by our Community Standards system.

The tenets of the Student Code of Citizenship are purposely expressed in the positive. Examples of specific prohibitions that flow from these positive tenets appear on the following section.

**Examples of Specific Prohibitions that Flow from the Tenets of the Student Code of Citizenship**

Because our Student Code of Citizenship requires students to be honest at all times, all forms of dishonesty are prohibited. Academic honesty (see relevant passage in Academic Policies and Procedures section of the *Student Handbook*) and honesty in all forms of communication with faculty, staff, administration, and fellow students of the University are of particular concern.

Because our Student Code of Citizenship requires that students respect the rights of all people and treat others with kindness and empathy, all forms of verbal, physical, or psychological abuse, threats of harm to self or others, harassment (including sexual harassment), hazing, sexual contact without effective consent, or actions that endanger others are prohibited. The intimidation or terrorizing of others by racist, sexist, homophobic, or other means are prohibited. Restraint of freedom of movement or expression and/or disruption of the normal functions of the University and its activities are prohibited.

Because our Student Code of Citizenship requires that students act in a civil manner in all settings, acts of misconduct including but not limited to uncivil language, such as excessive swearing; conduct that is disorderly, lewd, or indecent; breach of peace; or that reflect poorly upon the Alvernia University community are prohibited.

Because our Student Code of Citizenship requires that students respect the physical and intellectual property of others, including the University and our neighbors, as well as the environment, both human-made and natural, actual or attempted theft of and/or damage, destruction, vandalism, and all other forms of abuse or misuse of University property or the property of others are prohibited. Also prohibited are unauthorized entry or use of University property and/or premises, including but not limited to unauthorized use or possession of University owned furniture or equipment, and unauthorized possession, use, or duplication of University-issued keys or other means of access to University property or premises. Also prohibited are all forms of misconduct in the pursuit of academic endeavors, in interaction with members of the University community, or at another institution while acting on the University's behalf.

Because our Student Code of Citizenship requires that students read, know, and comply with all published University policies, procedures, rules, and regulations, failures to comply with all such policies, procedures, rules, and regulations are prohibited.

Because our Student Code of Citizenship requires that students cooperate and comply with the requests and directives of University officials as they fulfill their duties, prohibited behaviors include but are not limited to failure to identify oneself and/or produce a University identification card when asked, failure to evacuate a campus building during a fire alarm, failure to surrender or dispose of a substance or item prohibited by our alcohol and other drugs or weapons policies, failure to appear at a Community Standards Conference or otherwise respond as instructed when summoned by a University official, or failure to comply with assigned sanctions resulting from Code violations. A student who does not respond, appear, or act is not excused from disciplinary action by the University.

Because our Student Code of Citizenship requires that students act as responsible citizens and therefore comply with all federal, state, and local laws, violations of all such laws are prohibited. The University will exercise

discretion in monitoring this expectation and this prohibition, with particular emphasis on violations that are made knowingly and of one's own volition, or that reflect poorly on the University community. Of special concern are laws that govern the possession, use, and sale of controlled substances, including but not limited to alcohol and other drugs.

### **Honor Code**

Please consult the Academic Honesty and Honor Code Policies and Procedures section herein.

### **Community Standards System**

#### **Community Standards Authority**

The Director of Community Standards appoints Student Affairs Division staff members to serve as Community Standards Conference Officers, determines which type of Community Standards Conference will be utilized first in each case, and develops policies and procedures for the administration of the Community Standards system, in consultation with superiors.

#### **Filing a Complaint**

Any person can file a complaint if they believe that the Student Code of Citizenship has been violated. Complaints shall be filed with the Public Safety Office, Office of Residence Life, or the Office of Community Standards. The Public Safety Office, Office of Residence Life, or the Office of Community Standards will complete an Incident Report on which the University official will formally collect all the information related to the specific complaint.

#### **Reporting an Incident**

Students witnessing a behavioral situation that appears to pose an immediate threat to a person or property should immediately contact Public Safety. If the concern about a person's behavior does not appear to pose an immediate threat, students should contact an RA, a faculty or staff member, Public Safety, or the Associate Vice President of Student Affairs & Dean of Students with the concern. That person will help document concerns so the University can intervene as appropriate.

In addition, students with mental health concerns about themselves that may pose an immediate threat to themselves, others, or property should call the Medical and Counseling Center (610-568-1497) or the Office of Public Safety (610-796-8350). For concerns that do not pose an immediate threat, students are encouraged to contact the Medical and Counseling Center. They will help match students with the appropriate resources to address the concerns.

#### **Incident Procedures**

The University follows procedures to handle suspected violations of the Student Code of Citizenship.

When an incident occurs in a residential facility, Residence Life/Public Safety personnel are contacted and report to the scene. All protocols concerning safety, health, welfare, and administrative notification are followed.

When an incident occurs on campus and not in a residential facility, Office of Community Standards/Public Safety personnel are contacted and report to the scene to respond appropriately. All protocols concerning safety, health and wellness, and administration notification are followed.

The contacted University official writes an official Incident Report.

- The appropriate University official reviews the report and investigates as necessary.
- The Incident Report with the initial information is forwarded to the Director of Community Standards as soon as possible. As investigations continue, supplemental reports can be added. A record is created by the Office of Community Standards.
- Serious incidents involving injury, medical assistance, police involvement, or terrorism of any type are submitted immediately to the Director of Community Standards. In these cases, the Director of Community Standards, consults with the Associate Vice President of Student Affairs & Dean of Students and the Executive Director of Residence Life to assess the situation, review the safety and security of all involved, and determine charges.

The Student Code of Citizenship shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. Once the Community Standards process has begun, it will continue to completion regardless of whether the student voluntarily leaves the University. The University reserves the right to place a hold on transcripts, prevent re-enrollment, and withhold conferral of degrees until the disciplinary matter is resolved.

### **Definitions**

- Advocate – An advocate is a member of the Alvernia University community – faculty, staff, or student – who is appointed by the Director of Community Standards and who, during the student's conference, assists the student in understanding the charges that have been brought. The advocate may not speak on behalf of the student, interrupt the conference, or question witnesses, but may consult with the student during the conference and request brief recesses for consultation. The advocate may not serve as a legal advisor except in cases of sexual misconduct where legal counsel may serve as an advocate as described in the Sexual Misconduct Policy section of the Student Handbook.
- Appeal – Formal process of requesting that the outcome of a Formal Administrative Conference be reviewed with the purpose of over-turning the outcome.
- Complainant – A person who brings forth a formal complaint against another student.
- Conference – A formal meeting conducted by a University official to examine the alleged violation(s) with the respondent in light of the evidence and determine if the student is responsible or not responsible for what happened.
- Conference Officer – A University official who holds the hearing and facilitates all logistics and actions associated with it.
- Consent – Permission granted by one person to allow something to take place or happen.
- Expedited Conference – A conference that moves forward as quickly as possible because of critical circumstances.
- Intake – The process of advising the respondent of the alleged violations and conference procedures and answering procedural questions from the respondent.
- Preponderance of Evidence – The standard used by the University to determine responsibility: “Is it more likely than not that the violation occurred based on the evidence and information available at the time of the conference?”
- Respondent – The person alleged to have committed or accused of a violation of the Student Code of Citizenship.

- Responsible/Not Responsible – These are the terms used in stating the outcome of the conference. “Responsible” means an admission or finding that the Student Code of Citizenship has been violated. “Not Responsible” means a finding that the Student Code of Citizenship has not been violated.
- Student – Anyone who accepts admission to, and for so long as the person has a continuing relationship with, the University.
- Substantial University Interest – Refers to issues that reflect or interact with the operation or reputation of the University, its students, or personnel.
- University official – Any person hired by the University who has administrative or faculty status or specific responsibilities for safety or security.
- University’s Premises – Refers to all land and property that are owned, operated, leased, controlled, or supervised by the University.
- Witness – A person who can provide a firsthand account of something seen, heard, or experienced during an incident.

### **Rights of Respondents**

- Each respondent has the right to a Community Standards conference. The student has the right to respond to the charges and furnish information and witnesses to refute the specific charge or charges. The normal replies to a charge or charges are *responsible* or *not responsible*.
- The respondent has the right to consult legal counsel; however, lawyers are not permitted at any conference, unless acting as an advocate in a sexual misconduct case. The University does not provide legal services.
- The respondent has the right to know the outcome of the conference in a timely manner.
- The respondent has the right to have the outcomes and sanctions explained. This may include a written document which delineates the imposed sanction or sanctions.
- The respondent, subject to the applicable state and federal law, has the right to review relevant evidence and documents in his/her Community Standards record and subject to applicable law.
- The respondent has the right to not attend a conference. However, if the student does not attend the conference, the proceedings will continue and an outcome determined. The student will be sent a copy of the outcome of the conference and/or sanctions imposed with a statement outlining the appeal process. No adverse inference will be drawn solely on the basis of failure to attend.
- The respondent may avail himself or herself of all appropriate processes outlined in this section of the *Student Handbook*.

### **Interim Suspension**

Interim suspension from the University and/or from particular aspects of association with the University, such as the privilege to reside in or visit University residences, may be imposed on a student or a group of students by the Associate Vice President of Student Affairs & Dean of Students (or a designee). Students may be subject to Interim Suspension for various reasons, including but not limited to, a need for immediate separation from all or some of the University community because of incomplete or ignored sanctions, when a student presents a danger to him/herself or others or property, or because of serious allegations. The interim suspension time involved is the time between when the incident took place and the time of the official Community Standards Conference (see next section). When police are involved in the incident, the interim suspension may continue until the investigations are completed and/or court outcomes are known. During interim suspension the student is not permitted to be on campus or specified University locations under the threat of being cited for

defiant trespass. If the interim suspension extends to the end of the semester of the interim suspension, the student may be administratively withdrawn and considered for readmission pending the outcome of the investigation and a review of his/her file. If the student is placed on interim suspension before the last day to withdraw and the investigation continues past the end of the semester, the student will receive a W; if the student is placed on interim suspension after the last day to withdraw and the investigation continues past the end of the semester, the student will receive a WP or WF, depending on the academic standing at the time of the interim suspension as determined by the instructor. In addition, a hold will be placed on the student's academic record indicating that she or he is not able to register for classes until all requirements have been met.

### **Community Standards Conferences**

Alvernia University utilizes Community Standards Conference procedures, which reflect appropriate process and reasonable sanctions. The University's Community Standards Conferences are not the same as criminal or civil proceedings found in the local, state, and federal court systems. Decisions will be based on the standard of preponderance of evidence, meaning that the Conference Officer must conclude that it is more likely than not that an allegation of a violation is true. Sanctions, if any, will be fair, reasonable, and appropriate.

Only members of the University community (defined for this purpose as students, faculty, staff members, and administrators – specifically respondents, identified complainants, witnesses, advocates, and faculty/staff/administration members directly involved in the administration of the Community Standards process) may participate in Community Standards conferences. Therefore, lawyers, parents, family members, and other persons, unless acting as an advocate in a sexual misconduct case, are not permitted to attend any Conferences. Exceptions may be made by the Executive Director of Community Standards, on a case by case basis, to allow individuals to participate if they can provide a firsthand account of something seen, heard, or experienced during an incident.

The University will make an audio recording of all Formal Administrative Conferences, for University records. No other recordings of any portions of the Community Standards process – including but not limited to Preliminary Conferences, outcome notification meetings, and so forth – are permitted.

Students registered with the Accessibility Services Office can request accommodations to ensure their full and equal participation in any Community Standards process and/or proceeding. Accommodation requests should be made directly to the Director of Community Standards. Accommodations are determined on an individual basis in consultation with the Accessibility Services Office.

When an alleged violation of the Student Code of Citizenship occurs, a Preliminary Conference is normally scheduled within five (5) business days of the incident. The student will be notified of all scheduled dates, times, and places by phone, University email or by letter.

In cases in which local, state, or federal authorities are involved, the Preliminary Conference process may be postponed during the pendency of criminal proceedings, but the University retains discretion to proceed with its own investigation and disciplinary process independent of criminal proceedings. A student may be placed on interim suspension during this time period, at the discretion of the Director of Community Standards or superiors. Any postponement shall not exceed one academic year without review and determination whether to proceed, dismiss, or continue the postponement.

### **Preliminary Conference**

A Preliminary Conference is scheduled and held by the Director of Community Standards or a designee.

- A Preliminary Conference may only be postponed and rescheduled at the discretion of the Director of Community Standards or designee.
- The student is notified of the time and place of the Preliminary Conference.
- Failure to appear at the scheduled hearing may result in sanctions being imposed without the student being present.
- The Director of Community Standards, or designee, holds a Preliminary Conference to explain the charges and the Community Standards process.
- Upon hearing all information, evidence, statements, and the charge(s), the student has the opportunity to take responsibility, or to be found “responsible” or “not responsible”.
- The Conference Officer has the right to end the Preliminary Conference and schedule a Formal Administrative Conference, if deemed necessary to best resolve the issue.
- **If the outcome is “Responsible.”**
  - When the student takes responsibility or is found to be responsible, the conference continues and sanctioning takes place. If possible, the student is given immediate notice of the finding and the sanctions being imposed as a result of the conference. If such notification is not possible due to continued deliberations, written notice of the outcome will be given to the student after the Conference Officer has reached a decision, normally within five (5) business days.
  - Findings and sanctions are clearly assigned and explained to the student in writing.
  - A student may contest the finding of responsibility OR contest one or more sanctions. A student who wishes to contest a finding of responsibility may request a Formal Administrative Conference. A student who takes responsibility or is found responsible but wishes to contest one or more sanctions may request a Reconsideration of Sanctions. The student may only request one of the above-mentioned processes. The request must be made within two (2) business days of receipt of the outcome of the Preliminary Conference.
  - Guidelines for the Reconsideration of Sanction Request and the Formal Administrative Conference Request Process Guidelines are available from the Office of Community Standards.
- **If the outcome is “Not Responsible.”**
  - If the student is found to be “Not Responsible,” the conference ends and the student is given written notice of that finding. This is to be done as soon as possible, but normally within five (5) business days.

#### **Victims' Rights in Certain Situations**

Federal law mandates that alleged victims (e.g., complainants) of certain crimes of violence and forcible and nonforcible sexual offenses, or the alleged victims' next of kin (if the alleged victim dies as a result of the crime or offense) have the right to be informed of the results of any institutional disciplinary proceeding dealing with that crime or offense. That being the case, such alleged victims or next of kin are afforded the opportunity by Alvernia University to request a Formal Administrative Conference or Reconsideration of Sanctions if they wish to contest, respectively, the findings or sanctions of Preliminary Conferences related to the crimes or offenses of which they allegedly were victims.

#### **Reconsideration of Sanctions**

A request for Reconsideration of Sanction is heard by the Executive Director of Residence Life and (or designee) upon the request of a student who has been sanctioned as a result of a Preliminary Conference.

- A student wishing to request a Reconsideration of Sanctions must do so, in writing, within two (2) business days upon receipt of the sanctions.
- The Director of Community Standards (or designee) will review the written request, the alleged violations, and the Preliminary Conference proceedings.
- The student who is making the request may be interviewed at the discretion of the Director of Community Standards (or designee).
- Outcomes and sanctions that resulted from the Preliminary Conference may be suspended, at the discretion of the Director of Community Standards, pending the outcome of the request.
- In response to the request, sanctions may be eliminated, reduced, otherwise modified, or upheld. The student will be notified of the outcome of the request in writing, normally within five (5) business days.

### **Victims' Rights in Certain Situations**

Federal law mandates that alleged victims (e.g., complainants) of certain crimes of violence and forcible and nonforcible sexual offenses, or the alleged victims' next of kin (if the alleged victim dies as a result of the crime or offense) have the right to be informed of the results of any institutional disciplinary proceeding dealing with that crime or offense. That being the case, such alleged victims or next of kin are afforded the opportunity by Alvernia University to request an Appeal if they wish to contest the outcomes of Reconsiderations of Sanctions related to the crimes or offenses of which they allegedly were victims.

### **Formal Administrative Conference**

A Formal Administrative Conference is held by the Director of Community Standards (or designee).

- The student is notified of the time and place of the Formal Administrative Conference.
- The Director of Community Standards, or designee, meets with the student to explain the charges and the Community Standards process.
- After that meeting, a Formal Administrative Conference is scheduled and held. Upon hearing all information, evidence, statements and the charge, the student has the opportunity to take responsibility, or to be found "Responsible" or "Not Responsible".
- A Formal Administrative Conference may only be suspended, postponed or rescheduled at the discretion of the Director of Community Standards or designee.
- Failure to appear at the scheduled conference can result in sanctions being imposed without the student being present.
- Outcomes and sanctions that resulted from the outcome of the Preliminary Conference may be suspended, at the discretion of the Director of Community Standards, pending the outcome of the Formal Administrative Conference.
- All outcomes and sanctions that result from the outcome of the Formal Administrative Conference supersede the outcomes and sanctions of the Preliminary Conference.

  

- **If the outcome is "Responsible"...**
  - When the student takes responsibility, or is found to be responsible, the conference continues and sanctioning takes place. If possible, the student is given immediate notice of the finding and the sanctions that are being imposed as a result of the conference. If such notification is not possible due to continued deliberations, written notice of the outcome will be given to the student after the Conference Officer has reached a decision, normally within five (5) business days.

- Findings and sanctions are clearly assigned and explained to the student in writing.
- A copy of the Appeal Process is presented to the sanctioned student.
- **If the outcome is “Not Responsible”**
  - If the student is found to be “not responsible,” the session ends and the student is given written notice of that finding. This is to be done as soon as possible, but normally within five (5) business days.

### **Victims' Rights in Certain Situations**

Federal law mandates that alleged victims (e.g., complainants) of certain crimes of violence and forcible and nonforcible sexual offenses, or the alleged victims' next of kin (if the alleged victim dies as a result of the crime or offense) have the right to be informed of the results of any institutional disciplinary proceeding dealing with that crime or offense. That being the case, such alleged victims or next of kin are afforded the opportunity by Alvernia University to request an Appeal if they wish to contest the findings or sanctions of Formal Administrative Conferences related to the crimes or offenses of which they allegedly were victims.

### **Sanctions**

Sanctions are imposed when students are found responsible for any violation of the Student Code of Citizenship or other Alvernia University policies, procedures, rules, or regulations through the Community Standards process. Unless otherwise noted, students issued one or more sanctions are recognized as not being in good disciplinary standing with the University. In addition, a student may be issued supplementary conditions to be completed in conjunction with one or more sanctions.

For sanctions issued specifically for alcohol and drug violations, please refer to the Alcohol Policy and the Illegal Drug and Substances Policy sections of this *Student Handbook*.

- **No Contact Order** – This is a directive from the Associate Vice President of Student Affairs & Dean of Students or a designee, which stipulates that the addressed student may not have contact with a particular person or persons. The person(s) is (are) clearly named in the directive. It spells out the conditions and warns the addressed student of the consequences for violating the order. A student issued this sanction may, in certain circumstances, still be considered in good standing with the University.
- **Official Letter of Reprimand** – This is a letter notifying the student that his/her behavior was unacceptable. It will be retained in the student's disciplinary file. It is expected through the receipt of the letter that the student understands the policy in question and, therefore, that repetition of the offending behavior is not to occur again. The letter will indicate that any further violations of policy will warrant further sanctions. A student issued this sanction is considered to be in good standing with the University.
- **Loss or Restriction of Privileges** – This sanction may be imposed when a student's behavior warrants a loss or restriction of University privileges. These may include, but are not limited to, residing in or visiting residential facilities, denial of the right to represent the University in any way, access to facilities, parking privileges, and/or participation in co-curricular activities.

- **Residential Relocation/Reassignment** – This sanction may be imposed when the student's behavior demonstrates she or he is no longer able to reside with her or his roommate(s).
- **Disciplinary Probation** – This sanction may be imposed when the student's behavior warrants more than a written warning. The sanction is for a specified period of time, which shall be clearly stated in writing to the student, and the student must show that they are willing to abide by the policies and standards of the University community. Further misconduct could result in further disciplinary action including suspension or dismissal from the University. This sanction could be accompanied by supplementary conditions or other sanctions such as, but not limited to, restriction from one or more campus buildings or other facilities owned by the University. Students may also be asked to set up regular meetings with a University administrator at the discretion of the Director of Community Standards (or a designee).
- **Withholding of Diploma or Grades** – in special circumstances where there are blatant violations of University policy, the University's core values, or a perceived need to protect the reputation of the University, Alvernia's Associate Vice President of Student Affairs & Dean of Students can withhold a diploma and/or grades for a specific student.
- **Suspension** – This sanction prescribes a set period of time during which the privilege of attending Alvernia University is withdrawn with the understanding that return is conditional, based upon a complete review of student's file, submission by the student of a written request for reinstatement to the Associate Vice President of Student Affairs & Dean of Students, and completion of all outstanding sanctions. Suspension can be imposed due to the seriousness of one conduct violation or a combination of violations which constitute a pattern of unacceptable or illegal behavior that violates Alvernia's policies, core values, or local, state or federal laws. During suspension, the student is not permitted to be on campus under the threat of being cited for defiant trespass. A student suspended from Alvernia is considered "administratively withdrawn". If the suspension occurs prior to the last official date to withdraw from classes, the student will be assigned a W (withdraw) for all classes. If the suspension occurs after the last official date to withdraw from classes, the student will be assigned a WP (withdraw/pass) or WF (withdraw/fail), as determined by the instructors at the time of the suspension. In addition, a hold will be placed on his/her records indicating she or he is unable to register for classes until all requirements for readmission have been met. Students are instructed to contact Student Financial Services, since a suspension from the University may affect financial aid, grants, scholarship, etc., if any apply. If a suspended student wishes to be considered for return as a student to Alvernia University, the student must submit a written request and documentation that all outstanding sanctions have been completed. That written request and documentation must be sent to the Associate Vice President of Student Affairs & Dean of Students. A student who has been suspended for two or more semesters and who wishes to be considered for readmission needs to provide documentation that all outstanding sanctions have been met *and* needs to re-apply to Alvernia University through the Office of Admission.
- **Forced Withdrawal** – This sanction may be used in severe cases in which in which suspension or dismissal would be imposed, but mitigating circumstance warrant that a student not suffer the stigma attached to a suspension or a dismissal. The Associate Vice President of Student Affairs & Dean of Students imposes forced withdrawal.

- **Dismissal** – This is a written sanction of permanent withdrawal of the privilege of attending Alvernia University. The Associate Vice President of Student Affairs & Dean of Students imposes the dismissal upon the recommendation of the Director of Community Standards, following the Director's conferral with the Associate Vice President of Student Affairs & Dean of Students and the Executive Director of Residence Life. A student who is dismissed is not permitted on campus and is under threat of defiant trespass charges being filed if she or he appears on campus. This sanction can be imposed due to the seriousness of one act or event, or it can be an accumulation of campus or police violations. If the dismissal occurs prior to the last official date to withdraw from classes, the student will be assigned a W (withdraw) from classes. If the dismissal occurs after the last official date to withdraw from classes, the student will be assigned a WP (withdraw/pass) or WF (withdraw/fail), as determined by the instructors at the time of the dismissal. A hold will be placed on the record indicating the student is unable to register for classes. The dismissed student should contact Student Financial Services, since a dismissal from the University may affect financial aid, grants, scholarship, etc., if any apply.

**Examples of Supplementary Conditions (may include but are not limited to):**

- **Educational/Restorative Justice Project** – This project is utilized to enhance the learning experience in relation to the policy that was violated, to assist the student in better understanding the overall impact of his/her behavior and to restore any harm done to the community. This sanction may include but is not limited to: writing an essay, attending and/or presenting a workshop to a group of students, meeting with an appropriate educator/administrator, meeting with appropriate community members.
- **Referral to the Medical and Counseling Center** – This referral is utilized when the Conference Officer determines that the student exhibits behaviors and attitudes which suggest that counseling and/or medical services provided by the Medical and Counseling Center could be of benefit to the student being sanctioned.
- **Behavioral Agreement** – This is a written agreement, signed by the Associate Vice President of Student Affairs & Dean of Students, or designee and the student, which outlines specific behaviors that must be avoided and which specific behaviors must be adhered to.
- **Mandatory Assessment** – The University may require a mandatory assessment of a student who exhibits behavior and/or conduct which either violates Alvernia's Code of Citizenship or suggests serious concerns about the health and safety of the student or others. Mandatory assessment can be part of the judicial process or implemented by Associate Vice President of Student Affairs & Dean of Students upon receiving documentation of concern from faculty and/or staff.
- **Restitution** – A student whose actions damage, deface, or destroy University property may be required to make restitution, in addition to any other sanctions that are officially imposed. Restitution can also be imposed in cases of theft.
- **Community Restoration Hours** – Imposing community restoration hours is permitted when the Conference Officer determines that such a sanction serves a positive purpose and reflects the nature of the reported incident. Up to 10 hours can be assigned per incident or violation. All community restoration hours will be under the direction of an appropriate University official.

### **Failure or Refusal to Complete a Sanction**

Students who fail or refuse to complete officially imposed sanctions will be charged with “failure to comply” and will face additional charges for failure to cooperate and comply with the requests of University officials. Additionally, holds may be placed on accounts, grades may be held, further registration may be prohibited, and/or interim suspension may be imposed until required sanctions are completed.

- 1. Hold on Student Account** – The Registrar’s Office, at the direction of the Senior Vice President & Chief Operating Officer or designee, freezes any and all activity requested by the student until the required sanction or sanctions are completed. This includes registration for courses, requests for transcripts, and any other student requested actions.
- 2. Withholding grades/transcript** – Grades and transcripts may be held by the Registrar’s Office at the direction of the Associate Vice President of Student Affairs & Dean of Students, or designee, for those who do not pay fines or complete required sanctions.

### **Appeal Process**

Respondents who wish to contest a finding of responsibility or sanctions that result from a Formal Administrative Conference or Reconsideration of Sanctions may appeal to the Associate Vice President of Student Affairs & Dean of Students. The right of appeal also is available to complainants in cases involving alleged crimes of violence and forcible or nonforcible sexual offenses, or the alleged victims’ next of kin (if the alleged victim dies as a result of the crime or offense). Both parties in such cases shall have equal appeal rights. These are the permitted grounds for appeal:

- The published Community Standards Conference Procedures were violated or not followed.
- The student believes that information presented during the Formal Administrative Conference was not reviewed or taken into consideration by the Conference Officer.
- New evidence that was not available at the time of the conference and that would have materially affected the outcome can now be presented and considered.
- The sanction(s) imposed is/are grossly disproportionate to the violation.

### **Procedures for Appeal**

- The student writes a letter of appeal to the Associate Vice President of Student Affairs & Dean of Students identifying the case involved, the outcome of the hearing, and basis for the appeal. In the letter, the student must clearly demonstrate one or more of the possible grounds for appeal, as listed above. The letter must be received within five (5) business days of the student's receipt of written notice of the outcome of the Formal Administrative Conference or Reconsideration of Sanctions. The appeal period begins on the date the written decision is delivered to the student or made available for pickup, whichever occurs first.
- The Associate Vice President of Student Affairs & Dean of Students receives the letter and reviews the appeal request.
- The student making the appeal may be interviewed at the discretion of Associate Vice President of Student Affairs & Dean of Students. If the Associate Vice President of Student Affairs & Dean of Students concludes that there are no grounds for appeal, the request will be rejected. If the appeal is rejected, the outcomes and sanctions of the Formal Administrative Conference stand and any suspended outcomes and sanctions are immediately reinstated. The student will be notified in writing of the decision.

- If the appeal is accepted, Associate Vice President of Student Affairs & Dean of Students may determine responsibility anew, modify sanctions, or conclude that the alleged violations be reheard, in whole or in part, by the Formal Administrative Conference Officer or considered anew by the Associate Vice President of Student Affairs & Dean of Students. Outcomes and sanctions resulting from the Formal Administrative Conference may be suspended, at the discretion of the Associate Vice President of Student Affairs & Dean of Students, pending the outcome of the appeal.
- The student will be notified in writing once a final decision is made.
- The decisions of the Associate Vice President of Student Affairs & Dean of Students are final.
- In the event a complaint is filed with an outside agency, Associate Vice President of Student Affairs & Dean of Students may suspend the appeal process pending resolution of the outside complaint.

### **Student Disciplinary Records**

A student who has allegedly violated the Student Code of Citizenship has a record created and maintained by the Office of Community Standards. The student is afforded the opportunity to have the alleged violation(s) heard in accordance with the procedures described above. If a student is found responsible for the alleged violation(s), his or her record is kept for seven (7) years following the student's graduation if all outstanding sanctions and supplementary conditions have been completed. Community Standards records are kept in perpetuity for students who leave the University or are dismissed but who still have outstanding sanctions. If a student is found not responsible for the violation, the student's Community Standards record is voided.

The Office of Community Standards is responsible for maintaining the records, ensuring accuracy, accessibility, privacy, and appropriate dissemination of the information contained therein in compliance with federal and state laws.

A student is defined as anyone who has accepted an offer of admission and maintains an ongoing relationship with the University. A student is not a person that inquires or applies for admission to Alvernia University or takes a course on campus that is not offered or administered by Alvernia University. The Community Standards record may include the student's warnings, outcomes, sanctions, and dismissals; memos and letters of a disciplinary nature that the student, faculty or administrators wish to have retained; and Public Safety reports.

### **Privacy of Community Standards Records**

The Federal Family Educational Rights and Privacy Act of 1974 (FERPA) protects a student's educational records, including disciplinary records, from unauthorized disclosure to third parties. A student must sign a consent form to grant access to his or her Community Standards record before the Office of Community Standards will disclose the information contained in the student's records to a third party, unless an exception is permitted by law. These privacy requirements apply to student's parents and/or legal guardians except for specific situations noted below. Federal law makes an exception in these cases and allows, but does not require, the University to share Community Standards information.

Community Standards records may be released without the student's consent for lawfully issued subpoenas, court orders, and *ex parte* orders in connection with the investigation or prosecution of certain crimes. The University will disclose to the alleged victim of a crime of violence or forcible or nonforcible sexual offense, or to the alleged victim's next of kin (if the victim dies as a result of the crime or offense), the results of any institutional disciplinary proceeding dealing with that crime or offense.

### **Inspection of Community Standards Records**

Students may request to inspect or view their Community Standards records in accordance with FERPA and University policy. To do so, a student should make an appointment with the Director of Community Standards or a designee who will then supervise the review. Students are provided with an opportunity to review their records within a reasonable time that will not exceed 45 days from the date of receipt of the request. If a student's record includes information about another student, the reviewing student may only review that part relating to himself or herself or the University will redact personally identifying information from disclosure.

### **Parent/Legal Guardian Notification**

Parents and/or legal guardians may review a student's disciplinary file if there is a written consent to disclosure to the parent(s)/guardian(s) from the student; if the parent/guardian requests information in writing and demonstrates that the student is his or her dependent under the Internal Revenue Code of 1986; if the student is under the age of 21 and has violated a federal, state, or local law or any rule or policy of Alvernia University regarding the use or possession of alcohol or a controlled substance, and Alvernia University has determined that the student has committed a disciplinary violation with respect to that use or possession; and when information is necessary to protect the health or safety of the student or other individuals. As a general rule, University policy shall be that, using federal law as a guide, notification may be made to the parents and/or legal guardians of students found responsible for drug, alcohol, and other serious violations. As well, the University reserves the right to notify parents and/or legal guardians when such notification is necessary to protect the health or safety of the student or other individuals, particularly but not solely when there are allegations of threats of harm to self or others. Notifications will be sent by the Director of Community Standards or a designee. Students involved with such violations or situations are informed about these procedures.

### **Amendment of Records**

If a student believes that any of the disciplinary records relating to him or her contain information that is inaccurate, the student may ask Alvernia University that additional explanatory material be inserted in the record. Requests for the addition of explanatory material should be submitted to the Director of Community Standards & Executive Director of Residence Life at the conclusion of the review. The request should clearly identify the part of the record the student wants to supplement and specify why it is inaccurate or misleading. There is no obligation on the part of Alvernia University to grant such a request. If the University declines to supplement the records as requested by the student, the student will be informed and the student may request a meeting with the Associate Vice President of Student Affairs & Dean of Students.

## UNIVERSITY PROCEDURES

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### **Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act**

Students who provide recent and appropriate documentation of disabilities are eligible to receive reasonable accommodations. The types of available accommodations will vary based on the nature of the disability and course content. To obtain accommodations, the student must:

1. Inform the Director of Accessibility Services, in the Academic Success Center, of the disability as soon as possible/practical and preferably prior to the start of classes so accommodations can be made by the University as soon as possible;
2. Provide current and appropriate documentation that describes the nature of disability and supports the type of accommodation requested;
3. Meet with the Director of Accessibility Services to complete an accommodations letter that defines what classroom accommodations are appropriate; and
4. Request that the accommodation letters be generated each semester and deliver copies to course instructors.

ADA records are maintained by the Director of Accessibility Services. Questions should be directed to the Director of Accessibility Services, located in the Academic Success Center, Bernardine Hall, (610) 568-1499.

Alvernia University does not exclude, solely by reason of disability, any otherwise qualified individual from participation in nor deny such an individual the benefits of, nor subject such an individual to discrimination under, any program or activity receiving Federal financial assistance.

For questions, concerns, or to request further review of a request for accommodations, **students** should contact:

**Academic:**

Dr. Leamor Kahanov

Senior Vice President & Provost, Alvernia University

215 Francis Hall, 400 St. Bernardine Street, Reading, PA 19607

610.796.8299 // [leamor.kahanov@alvernia.edu](mailto:leamor.kahanov@alvernia.edu)

**Non-Academic:**

Abby Swatchick

Associate Vice President of Student Affairs & Dean of Students

204 Campus Commons

400 St. Bernardine Street

Reading, PA 19607

610.568.1474 // [abby.swatchick@alvernia.edu](mailto:abby.swatchick@alvernia.edu)

Grievances brought by students against other students will be addressed through our Community Standards process. (See Community Standards chapter in this *Student Handbook*).

For questions or concerns, **faculty, staff, and student employees** should contact:

Human Resources, Alvernia University

220 Francis Hall  
400 St. Bernardine Street  
Reading, PA 19607  
610.796.8317 // *human.resources@alvernia.edu*

### **Campus Crime Statistics**

Alvernia University complies with reporting requirements of both the federal government and the Commonwealth of Pennsylvania in regard to criminal offenses on campus. Should there be any complaints about the University's compliance with state reporting requirements, they should be filed in writing with the Associate Vice President of Student Affairs & Dean of Students. Every effort is made to resolve any complaint filed. If the complaining party continues to believe that the act is being violated, the complaining party may file a complaint with the Pennsylvania Office of the Attorney General and will be given the address of that office by the Associate Vice President of Student Affairs & Dean of Students.

In accordance with compliance of federal regulations, campus crime statistics for the most recent three-year period are posted on the Alvernia University website (<http://www.alvernia.edu/student-life/crime-statistics.html>) and are also available in the Public Safety office.

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies (in Pennsylvania, it is the Pennsylvania State Police through the Reading Police Department) to provide Alvernia University with a list of registered sex offenders who have indicated that they are either enrolled, employed or carrying on a vocation at Alvernia University.

The Campus Sex Crimes Prevention Act requires registered sex offenders to provide notice of enrollment or employment at any institution of higher education in the state where the offender resides.

Alvernia University is required to inform the campus community that a Pennsylvania State Police registration list of sex offenders will be maintained and available at two campus locations: the Office of Public Safety in the Library and Associate Vice President of Student Affairs & Dean of Students, in the Campus Commons.

In addition, a list of all registered sex offenders in Pennsylvania is available from the Pennsylvania State Police at <http://www.pameganslaw.state.pa.us>. Alvernia University is located in Berks County and the zip code is 19607.

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000 and the Pennsylvania Megan's Law 42 Pa.C.S. § 9791 (updated April 2009).

### **Closing/Severe Weather**

On infrequent occasions, Alvernia University may decide not to open, open late, or close early to protect the safety of the Alvernia community. Please read the [Inclement Weather Policy](#)

### **Family Educational Rights and Privacy Act**

Please consult the [University Catalog](#).

### **Directory Information Public Notice**

At its discretion, the University may provide directory information in accordance with the provisions of the Family Educational Rights and Privacy Act. Directory information is defined as that information which would not generally be considered harmful or an invasion of privacy if disclosed. Designated directory information at the University is specified in Alvernia Policy [15.1130 Student Records Access](#).

Students may withhold directory information by completing the [Student Authorization to Release Educational Record Information](#); please note that such withholding requests are binding for all information to all parties other than for educational purposes. Photographs in public locations on campus are considered publishable and may be used for marketing Alvernia University. Please refer to the Media Release policy located in the “Policy Information” section of this Student Handbook. Students should consider all aspects of a directory hold prior to filing such a request. If a student requested that directory information not be disclosed, the University will continue to honor that request until informed to the contrary. The University assumes no liability as a result of honoring a student’s instructions that directory information be withheld.

### **Food/Meal Service**

All resident students are required to participate in the University’s food service program, subject to approved exemptions as described in this Handbook. All first-year undergraduate residents must participate in the full 19-meal plan or the 14-meal plan during their first year. The student is allowed to change their meal plan beginning on the first day of classes of each semester and ending by the last day of the drop/add period. Commuter students and staff may purchase a commuter meal plan or pay cash.

Students agree to the following conditions:

- Payment of the appropriate board fee
- Presentation of a valid Alvernia identification (ID) card unless it is a cash transaction
- Participation in the plan is not transferable
- No discounts or refunds are given for meals missed and there is no carryover from one semester to the next
- Students withdrawing or moving out of a university residence are entitled to a prorated refund (minus a one-week deposit)

### **Special Dietary Needs/Medical and Religious Exemptions**

A student who is ill and unable to come to the Dining Hall for meals may have a friend pick up a sick tray for them at the Dining Hall. A note from the student’s medical professional or a provider at the Penn Medicine - Alvernia Medical and Counseling Center and the student’s ID card are required. If a school activity prohibits the student from attending a meal(s), the dining staff will pack a meal. Please have the department head or coach make a request at least two days in advance with the Dining Manager. ID will be needed when the order is placed. Students who miss a meal(s) because of participation in off-campus athletics competition will be given appropriate meal money or will be provided with a meal before returning to campus.

Students with special medical dietary needs or diets related to religious beliefs should consult with the Food Service Director. All efforts will be made to meet the needs of students. If after meeting with dining services,

there are medical factors or religious factors that cannot be accommodated, a student can request a meal plan exemption through the Office of Accessibility Services. All exemptions must include documentation (documentation includes but is not limited to letters from medical professionals or religious leaders specifically addressing how the student would benefit from a meal plan exemption, plus the student should address their intentions/plan for providing their own meals). Meal plan exemption requests must be received no later than the end of the add/drop period of the semester. Any exemptions after add/drop will be effective the following semester.

### **Grounds and Facilities Access**

The athletic and library facilities along with cultural enrichment programs and various other activities are open to the University community. Public Safety is responsible for locking and unlocking all campus buildings based on usage, class schedules, and special events. Students, staff, and faculty members are required to have appropriate departmental authorization to be in any academic building after closing and authorization should be cleared through the Public Safety Office. Visitors to the campus seeking access to campus buildings and facilities for special events must do so through the Public Safety, Public Relations, or other appropriate office.

Some campus buildings are accessible 24/7 via a swipe card entry. After hours, students may gain entry with their University ID. It is the student's responsibility to make sure no unauthorized person enters the building.

### **Health and Counseling Procedures**

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against any individual because of a disability or handicap who is otherwise qualified. Handicapped individuals have been defined as including those experiencing any mental or psychological disorder. Alvernia University, therefore, does not discriminate against students with diagnosed mental disorders or disabilities. The Associate Vice President of Student Affairs & Dean of Students may, in accord with the provisions of Section 504, effect the withdrawal, suspension, or dismissal of such students who exhibit behavior that: (a) causes an undue disruption to the residential or academic community; (b) makes it difficult/impossible for others to participate in those communities; and/or (c) is an apparent or threatened danger to himself or others or property.

Students believed to be struggling with eating disorders, mental illness, addiction, or gambling issues can receive help voluntarily or, in accordance with applicable law and University policy, may be subject to involuntary assessment or intervention. In all cases, the University will pursue a course of action designed to promote the wellbeing of the student, protect the welfare of the University community and demonstrate respect for federal and state laws. Every attempt will be made to design a treatment program, which will allow the student to remain in school. Confidentiality is held in the highest regard.

Being healthy and staying healthy are behavioral choices. Occasionally the choice to be healthy may require action on the part of the student to temporarily suspend their academic work to deal with health issues. If the student is unwilling or unable to make this decision, the University may act in the best interest of the individual and/or the University community.

### **Identification Card (ID)**

For purpose of identification, students are required to carry their Alvernia University student identification card at all times.

Identification cards are available in the Public Safety Office. Arrangements are made for satellite students to receive their card at their satellite site.

All new students at Alvernia University are issued their first student ID card at no charge. Valid identification, such as a driver's license, passport, or military ID, and verification of enrollment status, is required before a student can be photographed and issued a student identification card. For purpose of identification, students are required to carry their Alvernia University student identification card at all times.

Presentation of an ID card is required for services in the cardio center, dining areas, and library. It may also be required for other University activities and services. ID cards may be used for appropriate educational discounts and admission to facilities at other institutions, etc. Failure to produce a valid ID card when requested by a University official, fraudulent use of the card, and/or transfer of an ID card to another person, may result in confiscation, loss of privileges, and/or disciplinary action.

Labels or stickers may not be added to the ID card since their presence would interfere with the electronic reading of the card. Punching holes (for hanging, etc.) and burning (branding) are also prohibited.

In order to prevent unauthorized use, it is the individual's responsibility to report a lost ID card to the Public Safety Office immediately by calling 610-796-8350. Alvernia University is not responsible for any loss or expense resulting from the loss, theft, or misuse of this card. Funds deposited on the card should be treated as cash. If lost or stolen, any value on the card cannot be refunded. It is also up to the individual to obtain a replacement card by presenting proper identification and paying the currently approved replacement fee.

*All cards remain the property of Alvernia University and are not transferable.*

Unauthorized use of ID may result in additional state and/or federal violations. See Appendix A: Section 6310.2 and Section 6310.3 for more information.

### **Mandatory Assessment**

The University utilizes mandatory assessment of its students who continue to exhibit behavior and conduct which either violates the Student Code of Citizenship or suggests serious concerns about the health and safety of the student or others. Mandatory assessment can be part of the community standards process or implemented by the Associate Vice President of Student Affairs & Dean of Students, or designee upon receiving credible statements of concern from faculty and/or staff.

The Associate Vice President of Student Affairs & Dean of Students, or designee shall consult with the appropriate personnel who can provide insight and advice before a decision is made to pursue a mandatory assessment. The Associate Vice President of Student Affairs & Dean of Students shall authorize the assessment and arrange for it to take place as soon as reasonably possible. All requirements and expectations associated with the mandatory assessment will be explained to the student by the appropriate administrator from the Associate Vice President of Student Affairs & Dean of Students office.

### **Medical Leave, Voluntary and Involuntary**

#### **Medical Leave**

Medical Leave is available for students with documented serious physical or psychological illness who need to leave the University during the semester without completing their course work, or elect to withdraw from the University for no longer than two consecutive semesters. Medical leave requests will not ordinarily be considered during the final two weeks of a semester or the last week of a mod or summer term, except in cases of documented medical emergency or other extraordinary circumstances as determined by the University.

Students on medical leave are not regarded as having permanently withdrawn from the University and need not apply for readmission through the Admissions Office, unless the leave period exceeds two consecutive semesters. However, students must be approved for fitness to return to campus through the process described in this policy.

Students are encouraged to discuss medical leave issues with a counselor or medical provider as soon as it becomes apparent that their health is preventing them from completing their work. This serves both the interests of the student and the University. The Director of Collegiate Health Services will direct the student to provide appropriate documentation from a licensed physician, therapist or health practitioner.

A student who is granted a medical leave receives a W (withdraw) for all classes on their official semester report and transcript. A medical leave hold is placed on the academic record indicating the student is unable to register for classes until all responsibilities have been met for readmission. Students who are approved for medical leave are entitled to tuition refunds in accordance with the refund schedule published on the university web site, based upon the effective date of the medical leave (see below).

#### **Procedure for Voluntary Medical Leave Request**

A student requesting medical leave must:

- Submit a request in writing (hard copy or email) to the Director of Collegiate Health Services.  
(A student also may make an appointment to discuss the request.)
- Indicate if the request is for one or two semesters.
- Provide appropriate documentation from a licensed physician, therapist or health practitioner.  
Documentation must be received within seven (7) calendar days of the request, unless an extension is granted by the Director of Collegiate Health Services for good cause.  
Documentation must specify the student's condition/diagnosis, treatment plan, and reasoning for requesting medical leave.
- Contact Student Financial Services in accordance with the "**Student Financial Services**" paragraph in this section below.

#### **Determination of Medical Leave Request**

A decision approving or disapproving the medical leave request will be processed as follows:

- The Director of Collegiate Health Services will forward the student's request and provided documentation to the Associate Vice President of Student Affairs & Dean of Students, or designee.
- The Associate Vice President of Student Affairs & Dean of Students, or designee will approve or disapprove the request and send a copy of the decision to the student, Director of Collegiate Health Services, Registrar, and Student Financial Services. If the requesting student is a campus resident, the Office of Residence Life will also receive a copy.
- The Registrar will notify appropriate academic offices on campus of the student's status.

- Original documentation from the student's medical records will be maintained by the Director of Collegiate Health Services.

#### **Effective Date of Medical Leave Status**

The effective date of an approved medical leave will be the date on which the medical leave request is received by the Director of Collegiate Health Services. The student will remain on medical leave status for the balance of the semester(s) requested and subsequently approved.

A student whose request for medical leave is approved during the final forty percent of the semester will start the one- or two- semester clock on the first day of the next semester [i.e., the semester following the semester when the medical leave is approved].

*Medical leave status may continue no longer than two consecutive semesters. After this time, a student who does not return to the University will be deemed officially withdrawn. Students wishing to be reinstated after two consecutive semesters of leave must have met all requirements for readmission and must reapply for admission to the University through the Office of Admission.*

The granting of medical leave by the University does not guarantee that the student will be allowed to return.

#### **Extension of Medical Leave Status**

A student on a one-semester medical leave status may request an additional one-semester extension by making a written request to the Director of Collegiate Health Services by August 1 for the fall semester, and by December 1 for the spring semester. Additional documentation may be necessary for approval of an extension. A decision approving or disapproving of the additional leave will follow the same process described in the section entitled "Determination of Medical Leave Request."

#### **Determination of Fitness to Return to Campus**

A student requesting to return from medical leave must:

- Have a licensed physician, therapist, or health practitioner provide documentation that addresses: (i) the student's current functional abilities and limitations in the University environment; (ii) whether the student can meet the essential requirements of the University's programs with or without reasonable accommodation; (iii) whether the student poses a direct threat to themselves or others that cannot be eliminated through reasonable accommodation; and (iv) any recommended accommodations or support services. The University may request, but shall not require, disclosure of specific diagnosis, detailed symptoms, or medication information beyond what is necessary to assess the student's ability to return safely. Any recommended accommodations should also be included in the report if a long term disability exists.
- Sign a release allowing the Medical and Counseling Center staff and the Associate Vice President of Student Affairs & Dean of Students, or designee to communicate with the physician, therapist or health practitioner, as well as with other persons at Alvernia University involved in determining the student's ability to return regarding the readiness to return to University and the treatment requirements upon return.
- Have completed all recommendations from the licensed physician, therapist or health practitioner.
- Have completed all outstanding sanctions, if applicable.
- If permitted to return, participate in appropriate support services as outlined by the University and as recommended by the physician, therapist or health practitioner and/or the Penn Medicine – Alvernia Medical and Counseling Center.
- Meet with the Associate Vice President of Student Affairs & Dean of Students, or designee if requested.

The appropriate University administrators will review the documentation and determine whether all requirements have been satisfied and evaluate the student's readiness to return to campus. Their decision is final.

### **Required Involuntary Medical Leave**

In order to provide a safe environment conducive to the achievement of the University mission, the University may require a student to withdraw involuntarily when his or her behavior or physical or psychological disorder is incompatible with minimal standards of academic performance and / or community life. Under these circumstances, the student would qualify for medical leave. Students to whom this policy applies include:

- *Students who are a danger to themselves or others.*  
“Danger to themselves or others” is defined to include a risk of suicide, self-mutilation, accident or assault which necessitates unusual measures to monitor, supervise, treat or protect the student and ensure his or her safety and the safety of others.
- *Students whose behavior is severely disruptive to others.*  
“Disruptive” is defined to include behavior which causes significant emotional and / or physical distress to other students and / or staff. Such disruption may be in the form of a single incident or a pattern of behavior.
- *Students who do not comply with assessment or treatment required by University officials.*  
This is defined as a student’s behavior or physical condition that is likely to deteriorate to the point of permanent impairment or dysfunction without assessment and / or treatment.
- *Students whose behavior is damaging to property.*  
This is defined as behavior which damages University or community property.
- *Students whose physical or psychological disorder requires highly specialized services.*  
This is defined as when a student’s behavior requires services beyond those available locally and whose condition (as mentioned above) will deteriorate without additional resources.

Any student considered for involuntary withdrawal according to this section, will have her or his circumstances reviewed by the appropriate University administrators who will make a recommendation to the Associate Vice President of Student Affairs & Dean of Students as to his or her disposition.

### **Student Financial Services**

A student planning a Medical Leave of Absence or subject to an Involuntary Leave of Absence should immediately contact Student Financial Services to understand the implications, if any, of a medical leave on their financial aid. Student Financial Services can make the necessary arrangements and assist the student in meeting all necessary time deadlines for document submission to avoid any negative financial aid implications by the medical leave of absence hereunder.

### **Official Transcript**

A student who is granted medical leave or is placed on involuntary medical leave after the add/drop deadline shall receive a “W” (withdraw) for all classes on their official student records and transcript. The student will not receive any course credit for the classes taken during the semester in which medical leave is granted. All semester charges will be calculated in accordance with the refund schedule published on the university web site, based upon the effective date of the medical leave.

### **Missing Students**

Students who are suspected to be missing persons should be reported to Public Safety. Pursuant to 34 C.F.R. § 668.46, if Public Safety officials determine that a student for whom a missing person report has been filed has been missing for more than 24 hours, then within the next 24 hours, they will collaborate with the Director of Community Standards & Executive Director of Residence Life or designee to:

- Notify the individual identified by the student to be contacted in this circumstance;
- If the student is under 18 years old, notify a parent or guardian; and
- (In cases in which the student is over 18 and has not identified a person to be contacted), notify appropriate law enforcement officials.

### **Non-Emergency Medical Transport**

Alvernia University does not contract with a limousine service for non-emergency medical transport of students; students are responsible for their own transportation for non-emergencies. Students experiencing medical emergencies should call 911 or use one of the call boxes located throughout the campus. Students are responsible for all transportation fees incurred.

### **Omnilert**

In an effort to ensure the safety and security of the Alvernia community, the University has adopted Omnilert. Omnilert is a campus-wide, text-messaging and voicemail system that will enable Alvernia University officials to communicate with registered students, faculty, staff, and parents in the event of a catastrophic emergency. Registration is free and can be accessed by clicking on the Omnilert icon, located on the logins page of the University website.

### **Student Records**

#### **Academic Records**

Student academic records are retained per the current Registrar's Office Academic Records Maintenance Schedule. The student transcript, grade changes, and other documents that may affect future discussions are kept permanently. The documents which are purged from the student file are shredded and removed from the electronic filing systems. Students may contact the Registrar's Office for the complete policy regarding academic records.

#### **Counseling Records**

Counseling records are kept for seven (7) years according to American Psychological Association (APA) guidelines and then destroyed by shredding. Electronic counseling records are stored on a secured network folder accessible only by the user and administrator. An additional level of security is provided to these records to maintain their confidentiality and the records are stored as secured documents accessible only by the user. Students should contact their counselor for additional questions about counseling records.

#### **Disciplinary Records**

Disciplinary records are kept for seven (7) years following the student's graduation if all outstanding sanctions have been completed. Disciplinary records are kept in perpetuity for students who withdraw or are dismissed but who still have outstanding sanctions. Records are kept in locked cabinets located in the Office of Residence Life and are destroyed by shredding. Students should contact the Office of Community Standards in the Student Affairs Division for the complete policy regarding disciplinary records.

### **Medical Records**

Medical records will be kept by the Medical and Counseling Center for seven (7) years following graduation or withdrawal and then paper records are destroyed by shredding and electronic records may be purged. Medical records are locked and secured in the Medical Counseling Center. Students should contact the Director of Collegiate Health Services for additional questions.

## MAJOR POLICY INFORMATION

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A student found responsible for violation of any campus or residence hall policy may be sanctioned appropriately. Please see the Community Standards section for sanctioning guidelines.

### **Human Rights Policies**

#### **Introduction**

In the Franciscan tradition relationships and how we treat each other are of utmost importance, therefore, Alvernia University believes that all people deserve to have their fundamental human rights and dignity respected. The Alvernia community strives to promote an environment that facilitates learning, in a caring and inclusive space. Alvernia is a place where students learn to love others and in turn learn how to serve others, as Saint Francis taught.

The Alvernia community treats each other with kindness and empathy regardless of our difference. Alvernia should be an environment free from all forms of intimidation, harassment and bullying. All people should be treated with respect regardless of race, sex, sexual orientation, gender, pregnancy or related conditions,<sup>1</sup> gender identity, religion, ethnic heritage, age, disability, citizenship status, veteran status, physical appearance or other characteristics.

Alvernia University is committed to maintaining an environment where all employees and students are free from sexual harassment and discrimination.

#### **Education**

Since loving one another is central to our Franciscan identity it is important to educate students about harassment and its effect on other individuals and the community as a whole. The Student Affairs Division and the Human Resources Office coordinate the University's educational efforts.

### **Major Harassment Policy Statement**

Alvernia University is committed to maintaining an environment where all students and employees are free from harassment. It is the responsibility of each person on campus to respect the personal dignity of others. Harassment is any unwanted act that is sufficiently severe or pervasive to alter the conditions of education or employment and create an abusive, hostile, or offensive environment, which may result in alarm, fear, and/or serious annoyance. This may include but is limited to physical, verbal, and/or electronic forms of harassment. Examples of physical harassment may include but are not limited to hitting, pushing, throwing objects, unwanted touching, or threatening to do so. Examples of verbal and electronic harassment may include but are not limited to unwanted derogatory or vulgar jokes or innuendos, phone calls, text messages, social media posts, unwelcome or unsolicited sexual advances, demands or requests, or distribution of any offensive or pornographic material.

Alvernia University does not tolerate any type of harassment but would like to highlight five types of harassment that are especially detrimental to the community: harassment, bullying, stalking, discriminatory harassment, and hazing.

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<sup>1</sup> Alvernia University defines “pregnancy or related conditions” to refer to the full spectrum of processes and events connected with pregnancy, including pregnancy, childbirth, termination of pregnancy or lactation, related medical conditions, or recovery therefrom. (See *Pregnancy and Related Conditions Policy*).

Alvernia University prohibits any type of discrimination or retaliation against anyone for reporting, participating in an investigation of, or opposing harassment or discrimination in good faith. Students and employees are strongly encouraged to report any violation of the Human Rights Policy.

*For further information about the Sexual Harassment Policy and other forms of sexual misconduct, please see the Sexual Misconduct Policy in this section of the Student Handbook and the overall Alvernia University Sexual Harassment and Misconduct Policy, available in the Title IX section of the university website at [www.alvernia.edu](http://www.alvernia.edu).*

### **Specific Policy Statements**

**Harassment** occurs when an individual or group engages in conduct directed at another individual or group that is sufficiently severe or pervasive to create an intimidating, hostile, or offensive environment, causing alarm, fear, or serious distress, without a legitimate purpose.

**Bullying** occurs when an individual or group repeatedly and intentionally imposes harmful acts upon another individual. Acts may be physical, verbal, emotional or electronic resulting in embarrassment, fear, pain or discomfort.

**Stalking** occurs when an individual engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress. Such conduct includes two or more acts, including but not limited to acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person.

**Discriminatory Harassment** occurs when an individual or group engages in unwelcome conduct against another individual or group that is sufficiently severe or pervasive to create an intimidating, hostile, or offensive environment because of the individual's actual or perceived membership in a protected class, including but not limited to: race, color, sex, sexual orientation, gender identity, gender expression, religion, national origin, ancestry, age, disability, citizenship status, veteran status, genetic information, or other characteristics protected by federal, state, or local law. Please note that discriminatory harassment based on sex, sexual orientation or gender is also considered Sexual Harassment. (For detailed information, see the Sexual Misconduct Policy, below.)

**Hazing** is any action taken or situation created by an individual or group, whether on or off campus, that produces mental or physical discomfort, embarrassment, harassment, or ridicule, or that endangers the health or safety of an individual, and that is required or expected as a condition of membership, initiation, pre-initiation, pledging, admission into, affiliation with, or continued membership in a group, club, team, or organization that is not consistent with the mission of the group, club or team.

### **Reporting a Violation**

Students are encouraged to consult the Director of Community Standards for assistance. Employees of the University are encouraged to consult with the Director of the Human Resources Department regarding their concern. Once an incident of harassment has been reported to the University, the University will promptly investigate the complaint and take appropriate action to remedy the situation, which may include interim measures to protect the complainant and prevent retaliation. Any incident of student on student or student on

employee harassment will be handled through the published Community Standards system. Any employee on student harassment will be handled in the process described in the current Alvernia Employee Handbook.

### **Sexual Harassment and Misconduct Policy**

#### **PART I: TERMS, SCOPE, SUPPORTIVE MEASURES**

##### **1. Glossary**

- *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- *Complainant* means an individual who is alleged to be the victim of conduct that could be sexual harassment based on a protected class; or retaliation for engaging in a protected activity.
- *Complaint (formal)* means a document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment or retaliation for engaging in a protected activity against a Respondent and requesting that the recipient investigate the allegation.
- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of harassment and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when Alvernia University is in normal operation, excluding University holidays and breaks.
- *Education program or activity* means locations, events, or circumstances where Alvernia University exercises substantial control over both the Respondent and the context in which the sexual harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by the Alvernia University.
- *Final Determination*: A conclusion by preponderance of evidence that the alleged conduct did or did not violate policy.
- *Finding*: A conclusion by preponderance of evidence that the conduct did or did not occur as alleged (as in a “finding of fact”).
- *Formal Grievance Process* means as a method of formal resolution designated by the recipient to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations (34 CFR §106.45).
- *Grievance Process Pool* includes any investigators, hearing officers, appeal officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).
- *Hearing Officer or Decision-maker* refers to those who have decision-making and sanctioning authority within the Alvernia University’s Formal Grievance process.

- *Investigator* means the person or persons charged by an Alvernia University with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.
- *Mandated Reporter* means an employee of Alvernia University who is obligated by policy to share knowledge, notice, and/or reports of harassment and/or retaliation with the Title IX Coordinator [and supervisor].<sup>2</sup>
- *Notice* means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- *Official with Authority (OWA)* means an employee of Alvernia University explicitly vested with the responsibility to implement corrective measures for sexual harassment and/or retaliation on behalf of Alvernia University.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to Alvernia University educational program.
- *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or retaliation for engaging in a protected activity.
- *Resolution* means the result of an informal or Formal Grievance Process.
- *Sanction* means a consequence imposed by the Recipient on a Respondent who is found to have violated this policy.
- *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence
- *Title IX Coordinator* is at least one official designated by Alvernia University to ensure compliance with Title IX and the Recipient's Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.
- *Title IX Team* refers to the Title IX Coordinator and any member of the Grievance Process Pool.

## **2. Rationale for Policy**

Alvernia University is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from sexual harassment and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity,

Alvernia University has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation sexual harassment or retaliation.

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<sup>2</sup> Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of individuals with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility in this Policy.

Alvernia University values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

### **3. Applicable Scope**

The core purpose of this policy is the prohibition of sexual harassment and retaliation. When an alleged violation of this policy is reported, the allegations are subject to resolution using Alvernia University process outlined below and as determined by the Title IX Coordinator, and as detailed below.

When the Respondent is a member of the Alvernia University community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the Alvernia University community. This community includes, but is not limited to, students,<sup>3</sup> student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers.

The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

### **4. Title IX Coordinator**

Dr. Kimberly Lemon, Title IX Coordinator oversees implementation of Alvernia University's Affirmative Action on and Equal Opportunity plan and Alvernia Universities policy on an equal opportunity, harassment, and nondiscrimination. The Title IX Coordinator has the primary responsibility for coordinating Alvernia University's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

- Title IX Coordinator: Dr. Kimberly Lemon  
Upland 112C  
540 Upland Avenue  
Reading, PA 19607  
610-796-5059  
[kimberly.lemon@alvernia.edu](mailto:kimberly.lemon@alvernia.edu)
- Deputy Title IX Coordinator: Corinne Iya  
Campus Commons 104G  
500 St. Bernadine Street  
Reading, PA 19607  
[corinne.iya@alvernia.edu](mailto:corinne.iya@alvernia.edu)

### **5. Independence and Conflict-of-Interest**

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<sup>3</sup> For the purpose of this policy, Alvernia University defines "student" as any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with Alvernia University.

The Title IX Coordinator manages the Title IX Team and acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures.

The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact Alvernia University President [president@alvernia.edu]. Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of misconduct committed by the Title IX Coordinator should be reported to Alvernia University President at president@alvernia.edu. Reports of misconduct committed by any other Title IX Team member should be reported to the Title IX Coordinator.

## **6. Administrative Contact Information**

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be made internally to:

Dr. Kimberly Lemon  
Title IX Coordinator  
Upland 112C  
540 Upland Avenue  
Reading, PA 19607  
610-796-5059  
[kimberly.lemon@alvernia.edu](mailto:kimberly.lemon@alvernia.edu)

Corinne Iya, M.A.  
Deputy Title IX Coordinator  
Campus Commons 104G  
500 St. Bernadine Street  
Reading, PA 19607  
[Corinne.iya@alvernia.edu](mailto:Corinne.iya@alvernia.edu)

Inquiries may be made externally to:

U.S. Department of Education  
Office for Civil Rights (OCR)  
Lyndon Baines Johnson Department of Education Bldg  
Washington, D.C. 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>

Reading/Berks Human Relations Commission

602-604 Court Street  
Reading, PA 19601  
(610) 7375-8852

For complaints involving employees: Equal Employment Opportunity Commission (EEOC)<sup>4</sup>

## **7. Notice/Complaints of Sexual Harassment and/or Retaliation**

Notice or complaints of sexual harassment and/or retaliation may be made using any of the following options:

1) File a complaint with, or give verbal notice to, the Title IX Coordinators

Dr. Kimberly Lemon  
Title IX Coordinator  
Upland 112C  
540 Upland Avenue  
Reading, PA 19607  
[kimberly.lemon@alvernia.edu](mailto:kimberly.lemon@alvernia.edu)

Corinne Iya, M.A.  
Deputy Title IX Coordinator  
Campus Commons 104G  
500 St. Bernadine Street  
Reading, PA 19607  
[Corinne.iya@alvernia.edu](mailto:Corinne.iya@alvernia.edu)

Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator or any other official listed.

Report online, using the reporting form posted at

[https://cm.maxient.com/reportingform.php?AlverniaUniv&layout\\_id=0](https://cm.maxient.com/reportingform.php?AlverniaUniv&layout_id=0)

Anonymous reports are accepted but can give rise to a need to investigate. Alvernia University tries to provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as Alvernia University respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows Alvernia University to discuss and/or provide supportive measures.

- **Confidential reporters** are professional counselors and medical staff in the Medical and Counseling Center and Campus Ministry professional staff, including priests and laypersons, acting in their capacities as counselors. Those staff members are:
  - Penn Medicine – Alvernia Medical and Counseling Center
  - Campus Ministry

A Formal Complaint means a document submitted or signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that Alvernia University investigate the allegation(s).

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<sup>4</sup> EEOC has jurisdiction over Title IX employment claims. We recommend providing local EEOC office contact information in this section. Please consult: <http://www.eeoc.gov/field/index.cfm> to locate your local office's contact info.

A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by Alvernia University) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that Alvernia University investigate the allegations.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

## **8. Supportive Measures**

Alvernia University will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged sexual harassment and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to Alvernia University’s education program or activity, including measures designed to protect the safety of all parties or Alvernia University’s educational environment, and/or deter sexual harassment and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, Alvernia University will inform the Complainant, in writing, that they may file a formal complaint with Alvernia University either at that time or in the future, if they have not done so already.

The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

Alvernia University will maintain the privacy of the supportive measures to the extent possible under applicable law, including FERPA, provided that such privacy does not impair Alvernia University’s ability to provide the supportive measures or comply with its legal obligations. Alvernia University will act to ensure as minimal an academic/occupational impact on the parties as possible.

Alvernia University will implement measures in a way that does not unreasonably burden either party, while prioritizing the safety and well-being of the Complainant and the University community.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees

- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders]
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

## **9. Emergency Removal**

Alvernia University can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal.

This risk analysis is performed by the Title IX Coordinator in conjunction with the Office of Public Safety and the Thoughtful Assessment Group using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate.

When this meeting is not requested, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so.

This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for

the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion.

Alvernia University will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

Where the Respondent is an employee, existing provisions for interim action are applicable.

## **10. Promptness**

All allegations are acted upon promptly by Alvernia University once it has received notice or a formal complaint. Complaints will typically be resolved within 60-90 business days from the filing of a formal complaint, absent extenuating circumstances. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but Alvernia University will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in Alvernia University procedures will be delayed, Alvernia University will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

## **11. Privacy**

Every effort is made by Alvernia University to preserve the privacy of reports.<sup>5</sup> Alvernia University will not share the identity of any individual who has made a report or complaint of harassment or retaliation; any

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<sup>5</sup> For the purpose of this policy, privacy and confidentiality have distinct meanings. **Privacy** means that information related to a complaint will be shared with a limited number of Alvernia employees who “need to know” in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in the Alvernia’s response to notice under this policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (“FERPA”), as outlined in the Alvernia’s Student Records Policy. The privacy of employee records will be protected in accordance with Human Resources policies. **Confidentiality** exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. Alvernia has

Complainant, any individual who has been reported to be the perpetrator of sexual harassment or retaliation, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Alvernia University reserves the right to determine which Alvernia University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only those officials with a legitimate educational interest or need to know will be informed about the complaint, including but not limited to: members of the Title IX team, members of the Division of Student Affairs, Alvernia University Public Safety, members of the Thoughtful Assessment Team, Associate Vice President of Student Affairs & Dean of Students, Senior Vice President & Chief Operating Officer, and legal counsel as necessary.

Information will be shared as necessary with Investigators, Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

Alvernia University may contact parents/guardians of students under the age of 21 to inform them of situations in which there is a significant and articulable health and/or safety risk, in accordance with FERPA exceptions, and will make reasonable efforts to consult with the student first before doing so, except in emergency situations where immediate notification is necessary.

Confidentiality and mandated reporting are addressed more specifically below.

## **12. Jurisdiction of Alvernia University**

This policy applies to the education program and activities of Alvernia University, to conduct that takes place on the campus or on property owned or controlled by Alvernia University, at Alvernia University-sponsored events, or in buildings owned or controlled by Alvernia University's recognized student organizations. The Respondent must be a member of Alvernia University's community in order for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to Alvernia University's educational program. The recipient may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial Alvernia University interest.

Regardless of where the conduct occurred, Alvernia University will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial Alvernia University interest includes:

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designated individuals who have the ability to have privileged communications as Confidential Resources. When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clery Act. Other information may be shared as required by law.

- a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual;
- c. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- d. Any situation that is detrimental to the educational interests or mission of the Alvernia University.

If the Respondent is unknown or is not a member of the Alvernia University community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of the Recipient's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator.

In addition, Alvernia University may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from Alvernia University property and/or events.

All vendors serving Alvernia University through third-party contracts are subject to the policies and procedures of their employers.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences sexual harassment or retaliation in an externship, study abroad program, or other environment external to Alvernia University where sexual harassment policies and procedures of the facilitating or host organization may give recourse to the Complainant.

### **13. Time Limits on Reporting**

There is no time limitation on providing notice or complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to Alvernia University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible. Alvernia University retains the right to decline to investigate complaints where the passage of time materially prejudices its ability to gather evidence or conduct a fair investigation, provided that supportive measures will still be offered to the Complainant where feasible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice or a complaint is affected by significant time delay, Alvernia University will apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice or complaint, unless

application of the prior policy would be impracticable or manifestly unjust, in which case the current policy and procedures will apply.

#### **14. Online Sexual Harassment and/or Retaliation**

The policies of Alvernia University are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the Recipient's education program and activities or use Alvernia University's networks, technology, or equipment.

Although Alvernia University may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to Alvernia University, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the Alvernia University community.

Off-campus harassing speech by employees, whether online or in person, may be regulated by the Recipient only when such speech is made in an employee's official or work-related capacity.

#### **15. Policy on Nondiscrimination**

Alvernia University is committed to establishing and maintaining a safe and nondiscriminatory educational environment in which all individuals are treated with respect and dignity. The University does not permit discrimination or harassment in its programs and activities on the basis of race, color, national origin, ancestry, sex, gender, gender identification, sexual orientation, pregnancy or related conditions, disability, age, religion, physical and/or mental disability, medical condition, veteran status, marital status or any other characteristic protected by institutional policy or state, local, or federal law. This policy addresses all forms of sexual discrimination, including sexual harassment, sexual violence, stalking and intimate partner violence. Alvernia University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964, Pennsylvania state law, and other applicable statutes. This policy prohibits sexual harassment, sexual violence, stalking and intimate partner violence against Alvernia community members of any gender, gender identity, gender expression, or sexual orientation. This policy also prohibits gender-based harassment that does not involve conduct of a sexual nature, including hazing, stalking, and failure to provide equal opportunity in admissions, employment, or athletics. The University, as an educational community, will promptly and equitably respond to reports of sexual harassment, sexual violence, stalking and intimate partner violence in order to eliminate the harassment, prevent its recurrence, and address its effects on any individual or the community.

## **16. Definition of Sexual Harassment**

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the Commonwealth of Pennsylvania regard Sexual Harassment as an unlawful discriminatory practice.

Alvernia University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the actual or attempted offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual that satisfies one or more of the following:

1) Quid Pro Quo:

- a. an employee of the recipient,
- b. conditions the provision of an aid, benefit, or service of the recipient,
- c. on an individual's participation in unwelcome sexual conduct.

2) Sexual Harassment:

- a. unwelcome conduct,
- b. determined by a reasonable person,
- c. to be so severe, and
- d. pervasive, and,
- e. objectively offensive,
- f. that it effectively denies a person equal access to Alvernia University's education program or activity.<sup>6</sup>

3) Sexual assault, defined as:

a) Sex Offenses, Forcible:

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<sup>6</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

- 1) Any sexual act<sup>7</sup> directed against another person<sup>8</sup>,
- 2) without the consent of the Complainant,
- 3) including instances in which the Complainant is incapable of giving consent.

b) Sex Offenses, Non-forcible:

- a) Incest:
  - 1) Non-forcible sexual intercourse,
  - 2) between persons who are related to each other,
  - 3) within the degrees wherein marriage is prohibited by Pennsylvania law.
- b) Statutory Rape:
  - 1) Non-forcible sexual intercourse,
  - 2) with a person who is under the statutory age of consent of 16.

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<sup>7</sup> Sexual acts include:

Forcible Rape:

- a) Penetration,
- b) no matter how slight,
- c) of the vagina or anus with any body part or object, or
- d) oral penetration by a sex organ of another person,
- e) without the consent of the Complainant.

Forcible Sodomy:

- f) Oral or anal sexual intercourse with another person,
- g) forcibly,
- h) and/or against that person's will (non-consensually), or
- i) not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age<sup>#</sup> or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object:

- j) The use of an object or instrument to penetrate,
- k) however slightly,
- l) the genital or anal opening of the body of another person,
- m) forcibly,
- n) and/or against that person's will (non-consensually),
- o) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Forcible Fondling:

- p) The touching of the private body parts of another person (buttocks, groin, breasts),
- q) for the purpose of sexual gratification,
- r) forcibly,
- s) and/or against that person's will (non-consensually),
- t) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

<sup>8</sup> This would include having another person touch you sexually, forcibly, or without their consent.

4) Dating Violence, defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
  - i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
    - ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - iii. Dating violence does not include acts that are covered under the definition of domestic violence.

5) Domestic Violence, defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Pennsylvania, or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Pennsylvania

\*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking, defined as:

- a. engaging in a course of conduct,
- b. on the basis of sex,

c. directed at a specific person, that

- i. would cause a reasonable person to fear for the person's safety, or
- ii. the safety of others; or
- iii. suffer substantial emotional distress.

For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to,  
acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- (ii) Reasonable person means a reasonable person under similar circumstances  
and with similar identities to the Complainant.
- (iii) Substantial emotional distress means significant mental suffering or  
anguish that may but does not necessarily require medical or other professional treatment or counseling.

### **c. Force, Coercion, Consent, and Incapacitation<sup>9</sup>**

As used in the offenses above, the following definitions and understandings apply:

**Force:** Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

**Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Consent is:**

- knowing, and
- voluntary, and
- clear permission

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<sup>9</sup> The state definition of consent is applicable to criminal prosecutions for sex offenses in The Commonwealth of Pennsylvania but may differ from the definition used on campus to address policy violations.

- by word or action
- to engage in sexual activity.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on Alvernia University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM<sup>10</sup> or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so Alvernia University’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

**Incapacitation:** A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment. However, voluntary intoxication of the Respondent does not diminish the Respondent’s responsibility to obtain consent.

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<sup>10</sup> Bondage, discipline/dominance, submission/sadism, and masochism.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

### **17. Retaliation**

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. Alvernia University will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

Alvernia University and any member of Alvernia University’s community are prohibited from taking materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Filing a complaint or counterclaim within the grievance process outlined below could be considered retaliatory if those charges are made for the purpose of interfering with or circumventing any right or privilege provided for by Title IX. The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

### **18. Mandated Reporting**

All Alvernia University employees (faculty, staff, administrators) are expected to report actual or suspected sexual harassment or retaliation to appropriate officials immediately, though there are some limited exceptions. The following are mandated reporters:

- Full-time professional and administrative staff
- Coaches
- Advisors to student clubs and organizations
- Faculty members
- Residence life staff (resident counselors, resident assistants, and hall directors)

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected sexual harassment or retaliation. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at Alvernia University for a Complainant or third-party (including parents/guardians when appropriate):

#### **a. Confidential Resources**

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- Penn Medicine – Alvernia Counseling Center – 421 Adams Street (610) 568-1467
- Alvernia University Campus Ministry (Ordained Clergy Only) – Campus Commons (610) 796-8300
- Athletic trainers
- Off-campus (non-employees):
  - Safe Berks Hotline: 844.789.7233 (Local domestic and sexual violence advocates)
    - English Hotline: (610) 372-9540
    - Spanish Hotline: (610) 372-7463
  - National Domestic Violence Hotline: 800.799.SAFE (7233)
  - Service Access and Management, Inc. (SAM): 610.236.0530 or 877.236.4600
  - R U OK: (Text ruOK) to 484.816.ruOK (7865)

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

Campus counselors (for students) and the Employee Assistance Program are available to help free of charge and may be consulted on an emergency basis during normal business hours.

Students can contact Health & Wellness Center at 610-568-1467

Employees can contact the Employee Assistance Program at: <https://familyguidancecenter.com/site/>

Employees who are confidential and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

**b. Anonymous Notice to Mandated Reporters**

At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves.

If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by the Alvernia University to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits Alvernia University's ability to investigate, respond, and provide remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the Title IX Coordinator. [Mandated reporters may not be able to maintain requests for anonymity for Complainants who are minors, elderly, and/or disabled, depending on state reporting of abuse requirements].

**c. Mandated Reporters and Formal Notice/Complaints**

All employees of Alvernia University (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from the Alvernia University.

Supportive measures may be offered as the result of such disclosures without formal Alvernia University action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of sexual harassment or retaliation of which they become aware is a violation of Alvernia University policy and can be subject to disciplinary action for failure to comply.

When a Mandated Reporter is engaged in harassment or other violations of this policy, they have a duty to report their own misconduct. Alvernia University is not on notice of such misconduct unless and until the Mandated Reporter reports themselves or the University receives notice through other means.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

### **19. When a Complainant Does Not Wish to Proceed**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether Alvernia University proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator's decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires Alvernia University to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. Alvernia University may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and Alvernia University's ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When Alvernia University proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. When the Complainant chooses not to participate, the University may appoint an Advisor to act on behalf of the Complainant throughout the process to ensure and protect the rights of the Complainant. However, such Advisor cannot provide evidence or testimony on behalf of the Complainant.

Note that Alvernia University's ability to remedy and respond to notice may be limited if the Complainant does not want Alvernia University to proceed with an investigation and/or grievance process. The goal is to provide

the Complainant with as much control over the process as possible, while balancing Alvernia University's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow Alvernia University to honor that request, Alvernia University will offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by Alvernia University, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

## **20. Federal Timely Warning Obligations**

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Alvernia University must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community. Alvernia University will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger. Alvernia University will make reasonable efforts to consult with the Complainant before issuing any timely warning that could reveal the Complainant's identity.

## **21. False Allegations and Evidence**

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under Alvernia University policy.

## **22. Amnesty for Complainants and Witnesses**

The Alvernia University community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to Alvernia University officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the Alvernia University community that Complainants choose to report misconduct to Alvernia University officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, Alvernia University maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

**Students:** Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual assault to the Public Safety).

Alvernia University maintains a policy of amnesty for students who offer help to others in need. Although policy violations cannot be overlooked, Alvernia University may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

**Employees:** Sometimes, employees are hesitant to report sexual harassment or retaliation they have experienced for fear that they may get in trouble themselves. For example, an employee who has violated the consensual relationship policy and is then assaulted in the course of that relationship might hesitate to report the incident to University officials.

Alvernia University may, at its discretion, offer employee Complainants amnesty from policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to employee Respondents and witnesses on a case-by-case basis.

### **23. Federal Statistical Reporting Obligations**

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- b) Hate crimes, which include any bias-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- c) VAWA-based crimes,<sup>11</sup> which include sexual assault, domestic violence, dating violence, and stalking; and
- d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be shared with Public Safety regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

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<sup>11</sup> VAWA is the Violence Against Women Act, enacted in 1994 codified in part at 42 U.S.C. sections 13701 through 14040.

Campus Security Authorities include: student affairs/student conduct staff, Public Safety, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

## **PART II: GRIEVANCE PROCESS- NOTICE, INVESTIGATION, HEARING, DETERMINATION, AND APPEAL**

### **1. Overview**

Alvernia University will act on any formal or informal notice/complaint of violation of the Policy that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures.

The procedures below apply to all allegations of sexual harassment or retaliation involving students, staff, administrators, or faculty members. A set of technical dismissal requirements within the Title IX regulations may apply as described below, but when a technical dismissal under the Title IX allegations is required, any remaining allegations will proceed using these same grievance procedures, clarifying which policies above are applicable. Although the effect of the Title IX regulations can be confusing, these grievance procedures apply to all policies above.

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the student, faculty, and staff handbooks.

### **2. Notice/Complaint**

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps the Alvernia University needs to take.

The Title IX Coordinator will initiate at least one of three responses:

- 1) Offering supportive measures only because the Complainant does not want to file a formal complaint; and/or
- 2) Offering supportive measures and providing an informal resolution process (upon submission of a formal complaint); and/or
- 3) Offering supportive measures and providing a Formal Grievance Process including an investigation and a hearing (upon submission of a formal complaint).

Alvernia University uses the Formal Grievance Process to determine whether or not the Policy has been violated. If so, Alvernia University will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to sexual harassment or retaliation, their potential recurrence, or their effects.

### **3. Initial Assessment**

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator<sup>12</sup> engages in an initial assessment, typically within one to five business days. The steps in an initial assessment can include:

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<sup>12</sup> If circumstances require, the President or Title IX Coordinator will designate another person to oversee the process below should an allegation be made about the Coordinator or the Coordinator be otherwise unavailable or unable to fulfill their duties.

- If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
  - If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
- If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
  - If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, assesses the request, and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
  - If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available and may seek to determine if the Respondent is also willing to engage in informal resolution.
  - If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX:
    - If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
      - an incident, and/or
      - a pattern of alleged misconduct, and/or
      - a culture/climate concern, based on the nature of the complaint.
    - If it does not, the Title IX Coordinator determines that Title IX does not apply (and will “dismiss” that aspect of the complaint, if any), and assesses which policies may apply. Please note that dismissing a complaint under Title IX is solely a procedural requirement under Title IX and does not limit the University’s authority to address a complaint with an appropriate process and remedies.

**a. Violence Risk Assessment**

In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the CARE Team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of immediate threat to physical health/safety;
- Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant;
- Whether to put the investigation on the footing of incident and/or pattern and/or climate;
- To help identify potential predatory conduct;
- To help assess/identify grooming behaviors;
- Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent;
- Whether to impose transcript notation or communicate with a transfer Recipient about a Respondent;
- Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- Whether a Clery Act Timely Warning/Trespass order/Persona-non-grata is needed.

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other CARE Team members. A VRA authorized by the Title IX Coordinator should occur in collaboration with the CARE Team. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g. 202, 302), nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

#### **b. Dismissal (Mandatory and Discretionary)<sup>13</sup>**

Alvernia University must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the formal complaint would not constitute sexual harassment as defined above, even if proved; and/or

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<sup>13</sup> These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR §106.45.

- 2) The conduct did not occur in an educational program or activity controlled by Alvernia University (including buildings or property controlled by recognized student organizations), and/or Alvernia University does not have control of the Respondent; and/or
- 3) The conduct did not occur against a person in the United States; and/or
- 4) At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of Alvernia University.<sup>14</sup>

Alvernia University may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- 1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- 2) The Respondent is no longer enrolled in or employed by Alvernia University; or
- 3) Specific circumstances prevent Alvernia University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, Alvernia University will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

#### **4. Counterclaims**

Alvernia University is obligated to ensure that the grievance process is not abused for retaliatory purposes. Alvernia University permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

#### **5. Right to an Advisor**

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<sup>14</sup> Such a Complainant is still entitled to supportive measures, but the formal grievance process is not applicable.

The parties may each have an Advisor<sup>15</sup> of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.<sup>16</sup>

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

#### **a. Who Can Serve as an Advisor**

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the Alvernia University community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from Alvernia University, the Advisor will be trained by Alvernia University and be familiar with Alvernia University's resolution process.

If the parties choose an Advisor from outside the pool of those identified by Alvernia University the Advisor may not have been trained by Alvernia University and may not be familiar with Alvernia University policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

#### **b. Advisor's Role in Meetings and Interviews**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

Alvernia University cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, Alvernia University is not obligated to provide an attorney.

#### **c. Advisors in Hearings/Alvernia University-Appointed Advisor**

Under U.S. Department of Education regulations under Title IX, a form of indirect questioning is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly question

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<sup>15</sup> This could include an attorney, advocate, or support person. The law permits one Advisor for each party (witnesses are not entitled to Advisors within the process, though they can be advised externally). In special circumstances Alvernia University may allow a party to have more than one Advisor, if that occurs the other party will be allowed to have more than one Advisor should the Party wish to do so.

<sup>16</sup> "Available" means the party cannot insist on an Advisor who simply doesn't have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

each other or any witnesses. If a party does not have an Advisor for a hearing, Alvernia University will appoint a trained Advisor for the limited purpose of conducting any questioning of the other party and witnesses.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct questioning, Alvernia University will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-maker(s) during the hearing.

#### **d. Advisors' Role in Meetings and Interviews**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

#### **e. Pre-Interview Meetings**

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and Alvernia University's policies and procedures.

#### **f. Advisor Violations of Alvernia University Policy**

All Advisors are subject to the same Alvernia University policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. [Advisors should not address Recipient officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding, during cross-examination].

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

#### **g. Sharing Information with the Advisor**

Alvernia University expects that the parties may wish to have Alvernia University share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

Alvernia University also provides a consent form that authorizes Alvernia University to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before Alvernia University is able to share records with an Advisor.

If a party requests that all communication be made through their attorney Advisor, Alvernia University will make reasonable efforts to accommodate that request, subject to the Title IX Coordinator's determination that doing so will not cause unreasonable delay or otherwise impede the investigation or resolution process. However, Alvernia University reserves the right to communicate directly with the party when necessary to fulfill its obligations under Title IX and this policy.

#### **h. Privacy of Records Shared with Advisor**

Advisors are expected to maintain the privacy of the records shared with them. [These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by Alvernia University. Alvernia University may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the Alvernia University's privacy expectations.]

#### **i. Expectations of an Advisor**

Alvernia University generally expects an Advisor to adjust their schedule to allow them to attend Alvernia University meetings when planned, but may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Alvernia University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

#### **j. Expectations of the Parties with Respect to Advisors**

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties must inform the Title IX Coordinator and the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired). Failure to provide timely notice may result in rescheduling of meetings to accommodate proper notification procedures.

The parties must provide written notice to the Title IX Coordinator within two (2) business days if they change Advisors at any time. If a party changes Advisors, consent to share information with the previous Advisor is automatically terminated, and a new written release for the new Advisor must be secured before information will be shared with the new Advisor. The previous Advisor must return or certify destruction of any confidential materials provided by the University. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

#### **k. Assistance in Securing an Advisor**

For representation, Respondents may wish to contact organizations such as:

- FACE (<http://www.facecampusequality.org>)

- SAVE (<http://www.saveservices.org>).

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>),
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which maintains the Crime Victim's Bar Association.
- The Time's Up Legal Defense Fund: <https://nwlc.org/times-up-legal-defense-fund>

## **6. Resolution Processes**

Resolution proceedings are private. All persons present at any time during the resolution process are required to maintain the privacy and confidentiality of the proceedings in accordance with Alvernia University policy and applicable law, except as necessary to carry out their duties, obtain advice from legal counsel, or as otherwise required by law. Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose related to Informal Resolution, discussed below. Alvernia University encourages parties to discuss any sharing of information with their Advisors before doing so.

### **a. Informal Resolution**

Informal Resolution can include three different approaches:

- When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- When the parties agree to resolve the matter through an alternate resolution mechanism as described below, including mediation, usually before a formal investigation takes place; see discussion in b., below.
- When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process (similar to above, but usually occurs post-investigation); see discussion in c., below.

To initiate Informal Resolution, a Complainant must submit a formal complaint, as defined above. A Respondent who wishes to initiate Informal Resolution must contact the Title IX Coordinator in writing. Informal Resolution may only proceed if both parties and the University agree it is appropriate under the circumstances.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, Alvernia University will provide the parties with written notice of the reported misconduct, any sanctions or measures that may result from participating in such a process, the

party's right to withdraw and resume the Formal Grievance Process at any time prior to agreeing to a resolution, information regarding any records that will be maintained or shared by Alvernia University, and a statement that the parties' consent to participate in Informal Resolution is voluntary and that neither party will be pressured to participate.

Alvernia University will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

### **b. Alternate Resolution Mechanism**

Alternate Resolution is an informal mechanism, including mediation or other facilitated dialogue, by which the parties reach a mutually agreed upon resolution of an allegation. All parties must provide voluntary, written consent to the use of an Alternate Resolution mechanism. Alternate Resolution may not be used in cases involving allegations that an employee sexually harassed a student.

The Title IX Coordinator may look to the following factors to assess whether Alternate Resolution is appropriate, or which form of Alternate Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution;
- Likelihood of potential resolution, taking into account any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Results of a violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Alternate Resolution facilitator with this type of allegation;
- Complaint complexity;
- Emotional investment/capability of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution or Alternate Resolution are not appealable.

### **c. Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the

resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and Alvernia University are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of Alvernia University policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. However, if a party fails to comply with the agreed-upon terms, the other party may request that the Title IX Coordinator take appropriate action, which may include reinstating the Formal Grievance Process or implementing other appropriate remedial measures. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the sexual harassment or retaliation, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

#### **d. Negotiated Resolution**

The Title IX Coordinator, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and Alvernia University. Negotiated Resolutions are not appealable.

### **7. Grievance Process Pool**

The Formal Grievance Process relies on a pool of administrators (“the Pool”) to carry out the process. Members of the Pool are announced in an annual distribution of this policy to all students, parents/guardians of students, employees, prospective students, and prospective employees. [They are also listed in the Annual Title IX Report published by the Title IX Office].

The list of Pool members and a description of the Pool can be requested from the Title IX Coordinators.

#### **a. Pool Member Roles**

Members of the Pool are trained annually, and can serve in the following roles, at the direction of the Title IX Coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
- To serve in a facilitation role in Informal Resolution or Alternate Resolution if appropriately trained in appropriate resolution modalities (e.g., mediation, restorative practices)
- To perform or assist with initial assessment
- To investigate complaints

- To serve as a hearing facilitator (process administrator, no decision-making role)
- To serve as a Decision-maker regarding the complaint
- To serve as an Appeal Decision-maker

#### **b. Pool Member Appointment**

The Title IX Coordinator appoints the Pool, which acts with independence and impartiality. [Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, the Recipient can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles].

#### **c. Pool Member Training**

The Pool members receive annual training [jointly OR based on their respective roles]. This training includes, but is not limited to:

- The scope of the Recipient's Sexual Harassment Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the recipient with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy

- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment and/or retaliation allegations
- Recordkeeping

Specific training is also provided for Appeal Decision-makers, intake personnel, and Advisors (who are Alvernia University employees). All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool are publicly posted here: <https://www.alvernia.edu/student-life/title-ix>

#### **d. Pool Membership**

The Pool includes

- 2 representatives from Public Safety
- 2 representatives from Human Resources
- 1 representative from the Office of Student Activities
- 1 representative from the Office of Community Standards
- 2 representatives from the Office of Residence Life
- 1 representative from Athletics
- 1 representative from faculty

Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

### **8. Formal Grievance Process: Notice of Investigation and Allegations**

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent’s ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,

- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that Alvernia University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about Alvernia University policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that Alvernia University's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link to Alvernia University's VAWA Brochure,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official Alvernia University records, or emailed to the parties' Alvernia University-issued email or other designated accounts. Notice will be deemed received: (i) when delivered in person; (ii) three (3) business days after mailing via certified mail, return receipt requested; or (iii) upon transmission if sent via email, provided no delivery failure notification is received.

## **9. Resolution Timeline**

Alvernia University will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

## **10. Appointment of Investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation (typically using a team of two Investigators), usually within two (2) business days of determining that an investigation should proceed.

### **11. Ensuring Impartiality**

Any individual materially involved in the administration of the resolution process [including the Title IX Coordinator, Investigator(s), and Decision-maker(s)] may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with Alvernia University President via email (president@alvernia.edu)

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

Alvernia University operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the preponderance of the evidence.

### **12. Investigation Timeline**

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Alvernia University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

### **13. Delays in the Investigation Process and Interactions with Law Enforcement**

Alvernia University may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

Alvernia University will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. Alvernia University will promptly resume its investigation and resolution process as soon as feasible. During such a delay, Alvernia University will implement supportive measures as deemed appropriate.

Alvernia University action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

#### **14. Steps in the Investigation Process**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

1. Determine the identity and contact information of the Complainant
2. In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
3. Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
4. Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
5. Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
6. Meet with the Complainant to finalize their interview/statement, if necessary
7. Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
  - a. Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
8. Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
9. Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
10. When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
11. Interview all available, relevant witnesses and conduct follow-up interviews as necessary

12. Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
13. Complete the investigation promptly and without unreasonable deviation from the intended timeline
14. Provide regular status updates to the parties throughout the investigation
15. Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
16. Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
17. The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
18. Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the Recipient does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
19. The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
20. The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
21. The Investigator(s) shares the report with the Title IX Coordinator for their review and feedback
22. The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report

## **15. Role and Participation of Witnesses in the Investigation**

Witnesses (as distinguished from the parties) who are employees of Alvernia University are expected to cooperate with and participate in Alvernia University's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar

technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The Recipient will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

#### **16. Recording of Interviews**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of and consent to audio and/or video recording.

#### **17. Evidentiary Considerations in the Investigation**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

#### **18. Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation –when the final investigation report is transmitted to the parties and the Decision-maker—unless all parties and the Decision-maker agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Decision-maker from the Pool depending on whether the Respondent is an employee or a student. Allegations involving student-employees in the context of their employment will be directed to the appropriate Decision-maker depending on the context and nature of the alleged misconduct.

#### **19. Hearing Decision-maker Composition**

The Title IX Coordinator will designate a single Hearing Officer from the Pool. The single Hearing Officer will conduct the hearing.

The Hearing Officer(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the hearing process in the event that

a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Hearing Officers. Those who are serving as Advisors for any party may not serve as Hearing Officers in that matter.

The Title IX Coordinator may not serve as a Hearing Officer in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. If a party objects to the Title IX Coordinator serving as administrative facilitator based on alleged bias or conflict of interest, such objection must be raised in writing at least five (5) business days prior to the hearing, and University will determine whether the objection has merit. The hearing will convene at a time determined by the Hearing Officer or designee.

## **20. Evidentiary Considerations in the Hearing**

Any evidence that the Hearing Officer(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Hearing Officer(s) at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Hearing Officer renders a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

## **21. Notice of Hearing**

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Hearing Officer will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.

- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Hearing Officer(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Hearing Officer on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Hearing Officer(s). For compelling reasons (including but not limited to medical emergency, family emergency, or other circumstances beyond the party's control), the Hearing Officer may reschedule the hearing upon written request submitted as soon as reasonably possible.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and the Recipient will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Hearing Officer(s) about the matter, unless they have been provided already.<sup>17</sup>
- An invitation to each party to submit to the Decision Maker an impact statement pre-hearing that the Hearing Officer will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Whether parties can/cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the Alvernia University and remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

## **22. Alternative Hearing Participation Options**

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<sup>17</sup> The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator at least five (5) business days prior to the hearing.

The Title IX Coordinator can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

### **23. Pre-Hearing Preparation**

The Hearing Officer after any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) or have proffered a written statement or answered written questions, unless all parties and the Hearing Officer assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Hearing Officer do not assent to the admission of evidence newly offered at the hearing, the Hearing Officer may delay the hearing and instruct that the investigation be re-opened to consider that evidence.

The parties will be given the name of the Hearing Officer(s) at least five (5) business days in advance of the hearing. All objections to any Hearing Officer must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than two (2) business days prior to the hearing. Hearing Officers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the Hearing Officer(s) a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Hearing Officer who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Hearing Officer is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Hearing Officer at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Hearing Officer.

### **24. Pre-Hearing Meetings**

The Hearing Officer may convene pre-hearing meeting(s) with the parties and/or their Advisors to invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Hearing Officer can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration based on any new information or testimony offered at the hearing. Any such

reconsideration requests must be made contemporaneously with the introduction of the new information or testimony. The Hearing Officer must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

The Hearing Officer, **only** with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Hearing Officer will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant.

The Hearing Officer may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Hearing Officer may consult with legal counsel and/or the Title IX Coordinator or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded.

## **25. Hearing Procedures**

At the hearing, the Hearing Officer(s) has the authority to hear and make determinations on all allegations of sexual harassment and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the sexual harassment and/or retaliation, even though those collateral allegations may not specifically fall within the Policy.

Participants at the hearing will include the Hearing officer, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties (or up to three (3) organizational representatives when an organization is the Respondent), Advisors to the parties, any called witnesses, the Title IX Coordinator and anyone providing authorized accommodations or assistive services.

The Hearing Officer will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Hearing Officer will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Hearing Officer(s) and the parties and will then be excused.

## **26. Joint Hearings**

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

## **27. The Order of the Hearing – Introductions and Explanation of Procedure**

The Hearing Officer explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Hearing Officer(s) on the basis of bias or conflict of interest. The Hearing Officer will rule on any such challenge unless the Hearing Officer is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Hearing Officer then conducts the hearing according to the procedure outlined below, with administrative support from the hearing facilitator. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX Coordinator. The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

### **28. Investigator Presents the Final Investigation Report**

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Hearing Officer(s) and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Hearing Officer(s) shall ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties shall refrain from discussion of or questions about these assessments. If such information is introduced, the Hearing Officer will direct that it be disregarded.

### **29. Testimony and Questioning**

Once the Investigator(s) present their report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Hearing Officer. The parties/witnesses will submit to questioning by the Hearing Officer(s) and then by the parties through their Advisors (“cross-examination”).

All questions are subject to a relevance determination by the Hearing Officer. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Hearing Officer upon request or if required as a reasonable accommodation), the proceeding will pause to allow the Hearing Officer to consider it (and state it if it has not been stated aloud), and the Hearing Officer will determine whether the question will be permitted, disallowed, or rephrased.

The Hearing Officer may invite explanations or persuasive statements regarding relevance with the Advisors, if the Hearing Officer so chooses. The Hearing Officer will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Hearing Officer will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Hearing Officer will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Hearing Officer has final say on all questions and determinations of relevance. The Hearing Officer may consult with legal counsel on any questions of admissibility. The Hearing Officer may ask Advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the Advisors on relevance once the Hearing Officer has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Hearing Officer at the hearing, the Hearing Officer may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Hearing Officer should not permit irrelevant questions that probe for bias.

### **30. Refusal to Submit to Cross-Examination and Inferences**

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing or because they attend but refuse to participate in some or all questioning. The Hearing Officer can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Hearing Officer may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination or answer other questions, except as provided in paragraph 30 regarding non-sexual harassment policy violations.

Statements made by the parties or witnesses during the investigation, emails or texts exchanges between the parties leading up to the alleged sexual harassment, statements made in police reports, statements contained in Sexual Assault Nurse Examiner (SANE) reports, and statements in medical reports may be considered by the Hearing Officer in their decision making. (DOE letter August 24, 2021)

Police reports, reports from the police of the results of a rape kit, DNA or alcohol/drug substance tests, reports from SANE nurse or physician, and medical records are admissible without testimony from the author, police or medical authority, subject to the Hearing Officer's determination of authenticity and reliability. The Title IX Hearing Officer will determine relevance of the reports.

The Decision-maker may rely on text messages, email, or video even though only one party in the message or video presents testimony or witness statement, if the Decision-maker determines the evidence to be relevant.

If charges of policy violations other than sexual harassment are considered at the same hearing, the Hearing Officer(s) may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their Advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's Advisor of choice refuses to comply with the Recipient's established rules of decorum for the hearing, the Recipient may require the party to use a different Advisor. If a recipient-provided Advisor refuses to comply with the rules of decorum, the Recipient may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

### **31. Recording Hearings**

Hearings (but not deliberations) are recorded by Alvernia University for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Hearing Officer(s), the parties, their Advisors, and appropriate administrators of Alvernia University will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

### **32. Deliberation, Decision-making, and Standard of Proof**

The Hearing Officer(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used. The hearing facilitator may be invited to attend the deliberation by the Hearing Officer, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the Hearing Officer(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Hearing Officer will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Hearing Officer(s) may – at their discretion – consider the statements, but they are not binding.

The Hearing Officer(s) will review the statements and any pertinent conduct history provided by the Title IX Coordinator and will determine the appropriate sanction(s) in consultation with other appropriate administrators.

The Hearing Officer will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence not relied upon in its determination, credibility assessments, and any sanctions

This report is typically three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

### **33. Notice of Outcome**

Using the deliberation statement, the Title IX Coordinator will work with the Hearing Officer to prepare a Notice of Outcome. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within 7 business days of receiving the Hearing Officer(s)' deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official Alvernia University records, or emailed to the parties' Alvernia University-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will articulate the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by Alvernia University from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the Recipient is permitted to share such information under state or federal law; any sanctions issued which Alvernia University is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to

the Alvernia University educational or employment program or activity, to the extent Alvernia University is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

The Notice of Outcome will also include information on when the results are considered by Alvernia University to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

#### **34. Statement of the Rights of the Parties**

##### **Statement of Complainant Rights:**

Alvernia University recognizes that sexual harassment is an offense in which the complainant often feels powerless. Alvernia assures complainants that they have the following rights throughout the trauma of being a sexual misconduct complainant in our community:

- The complainant will have the power to make decisions affecting their medical and emotional treatment.
- The complainant will have control over making decisions pursuing legal prosecution.
- The complainant will decide who is notified outside the protocol established by the Alvernia, including notification of parents (except in the case of a minor complainant).
- The complainant will receive support from Alvernia in obtaining needed counseling or other support.
- The complainant will be aided by Alvernia in obtaining a living environment that is safe and secure.
- The complainant will be assured of confidentiality within the protocol followed by Alvernia.

##### **Rights of the Complainant and Respondent:**

- To have a fair and proper review of the complaint.
- To have the formal complaint resolved in a timely fashion, usually within 60 days, unless extenuating circumstances are requiring a longer period.
- To have an advisor of their choosing present at all meetings with the investigator, hearing officer, and appeal officer. The advisor may be an attorney, a family member, faculty member, staff, employee, counselor, family member, or anyone of their choosing. If you do not choose to select an advisor, King's College (Recipient) will appoint an advisor for the hearing cross-examination. The Title IX Coordinator, investigator, hearing officer, and appeal officer assigned to the case may not serve as an advisor.
- To have a hearing officer that does not have a conflict of interest with either the respondent or accuser.
- Have the opportunity to present information to the investigators and the hearing officer for consideration in the process.
- To have timely notice of all meetings.
- To have information regarding how the process is conducted (Sexual Harassment Policy)
- To receive the determination of the hearing officer in writing.
- To have their right to appeal the decision of the hearing officer to the appeal officer.

#### **35. Sanctions**

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)

- The Respondent's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the sexual Harassment and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of sexual harassment and/or retaliation
- The need to remedy the effects of the sexual harassment and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Hearing Officer(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

#### **a. Student Sanctions**

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any Alvernia University policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling:* A mandate to meet with and engage in either Alvernia University-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at Alvernia University.
- *Expulsion:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend Alvernia University-sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript, [subject to any applicable expungement policies.]
- *Withholding Diploma:* Alvernia University may withhold a student's diploma for a specified period of

time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.

- *Revocation of Degree:* Alvernia University reserves the right to revoke a degree previously awarded from Alvernia University for fraud, misrepresentation, and/or other violation of Alvernia University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Organizational Sanctions:* Deactivation, loss of recognition, loss of some or all privileges (including Alvernia University registration) for a specified period of time.
- *Other Actions:* In addition to or in place of the above sanctions, Alvernia University may assign any other sanctions as deemed appropriate.

#### **b. Employee Sanctions/Responsive Actions**

Responsive actions for an employee who has engaged in harassment and/or retaliation include:

- *Warning – Verbal or Written*
- *Performance Improvement Plan/Management Process*
- *Enhanced supervision, observation, or review*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Denial of Pay Increase/Pay Grade*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Transfer*
- *Reassignment*
- *Delay of tenure track progress*
- *Assignment to new supervisor*
- *Restriction of stipends, research, and/or professional development resources*
- *Suspension with pay*
- *Suspension without pay*
- *Termination*
- *Other Actions:* In addition to or in place of the above sanctions/responsive actions, Alvernia University may assign any other responsive actions as deemed appropriate.

### **36. Withdrawal or Resignation While Charges Pending**

a. Students: If a student has an allegation pending for violation of the Policy, Alvernia University may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide not to participate in the resolution process, the process proceeds in their absence to a reasonable resolution. Should a student Respondent permanently withdraw from Alvernia University, the resolution process ends, as Alvernia University no longer has disciplinary jurisdiction over the withdrawn student.

However, Alvernia University will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged sexual harassment and/or retaliation. The student who withdraws or leaves while the process is pending may not return to Alvernia University. Such exclusion applies to all campuses of Alvernia University. A hold will be placed on their ability to be readmitted. They may also be barred from Alvernia University property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to Alvernia University unless and until all sanctions have been satisfied.

b. Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as Alvernia University no longer has disciplinary jurisdiction over the resigned employee.

However, Alvernia University will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or retaliation.

The employee who resigns with unresolved allegations pending is not eligible for rehire with Alvernia University or any campus of Alvernia University, and the records retained by the Title IX Coordinator will reflect that status.

Alvernia University may respond to future inquiries regarding employment references for that individual by stating only that the former employee is not eligible for rehire, without disclosing specific details of any pending disciplinary matter.

### **37. Appeals**

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator within 5 business days of the delivery of the Notice of Outcome.

A single Appeal Decision-maker will hear the appeal. No appeal Decision-maker will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to the Appeal Decision Maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

#### **a. Grounds for Appeal**

Appeals are limited to the following grounds:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Decision Maker and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Decision Maker will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Hearing Officer.

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Hearing Officer will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given 5 business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Hearing Officer to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appeal Hearing Officer and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in 5 business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Decision Maker will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses, and the Appeal Decision Maker will render a decision in no more than 7 business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which Alvernia University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent Alvernia University is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' Alvernia University-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

**b. Sanctions Status During the Appeal**

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

Alvernia University may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

#### **c. Appeal Considerations**

- Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-maker(s) may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where a procedural or substantive error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).
- The results of a remand to a Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases in which the appeal results in reinstatement to Alvernia University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

#### **38. Long-Term Remedies/Other Actions**

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the sexual harassment and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by Alvernia University to the Respondent to ensure no effective denial of educational access.

Alvernia University will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair Alvernia University's ability to provide these services.

### **39. Failure to Comply with Sanctions and/or Interim and Long-term Remedies and/or Responsive Actions**

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Chair/Panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from Alvernia University and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

### **40. Recordkeeping**

Alvernia University will maintain for a period of seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to Alvernia

University's education program or activity;

4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. Alvernia University will make these training materials publicly available on Alvernia University's website; and
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
  - a. The basis for all conclusions that the response was not deliberately indifferent;
  - b. Any measures designed to restore or preserve equal access to Alvernia University's education program or activity; and
  - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Alvernia University will also maintain any and all records in accordance with state and federal laws.

#### **41. Disabilities Accommodations in the Resolution Process**

Alvernia University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to Alvernia University's resolution process.

Anyone needing such accommodations or support should contact the Director of Accessibility Services or appropriate HR individual if employee, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

#### **42. Revision of this Policy and Procedures**

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct and/or retaliation under Title IX and will be reviewed and updated annually by the Title IX Coordinator. Alvernia University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings. This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This Policy and procedures are effective January 30, 2026.

### **Federal Reporting and Timely Warning Obligations**

#### **Federal Reporting**

Certain university officials are required to report all crimes including sexual misconduct for statistical reporting purposes. All personally identifiable information will be kept private. Reports include information related to the type and general location (on/off-campus, surrounding area) of the incident. These reports help the community get a clear picture of the scope and nature of crime on and around the University.

#### **Timely Warning**

Victims of sexual misconduct should also be aware that University officials may need to issue an immediate timely warning for an incident that may pose a substantial threat or danger to members of the campus community. The University will not disclose any identifiable information while providing enough information to inform and protect the University community.

The University provides educational programs designed to prevent intimate partner violence, sexual assault, stalking, and other sex offenses. The purpose of these programs is to promote an awareness of the warning signs of intimate partner violence, bystander intervention, what to do if victimized by a sex offense, and how not to become a victim or a perpetrator of a sex offense.

### **Alcohol Policy**

#### **Introduction**

University regulations governing the use of alcohol are designed first and foremost to ensure the personal health and safety of each member of the Alvernia University community. In addition, University policies and procedures are intended to foster an environment that facilitates student learning, promotes sound judgment, respect for the rights of others, and acceptance of personal responsibility for one's behavior.

It is the duty of all students to conduct themselves in a manner consistent with University regulations and to help others do likewise. In all instances, students are considered fully responsible for their own actions and personal well-being. Students also are encouraged to be mindful of the well-being of others. Any behavior which puts health or safety at risk or which infringes on the rights of others is antithetical to the mission of Alvernia University.

The University encourages all students to consider carefully the potential dangers of alcohol consumption and reminds students that they are responsible for abiding by all federal, state and local laws and institutional policies relative to the possession and consumption of alcohol.

#### **Education**

The University takes seriously its responsibility to educate students regarding the effects, uses, and abuses of alcohol. The University delivers a full complement of programs and services intended to help students make healthy decisions. In addition, the University regularly monitors the patterns of alcohol use in order to provide the community with accurate information.

### **Relevant Laws**

See Appendix A for the federal and state legal standards with respect to alcohol.

### **Major Alcohol Policy Statements**

**For the reason and rationale noted above, the following major policies are those from which the University derives all other alcohol policies and procedures.**

Students who are 21 years of age or older may legally and responsibly possess and consume alcoholic beverages in their own rooms, apartments, or townhouses (i.e., living units), provided the residences in which the living units are located have not been declared alcohol-free, as well as allow others who also are of legal age to do so in their company.

Students who are under 21 years of age but who are the roommates of legal-age students may be in the presence of their roommates, but not guests, during such consumption in their own rooms, apartments, or townhouses (i.e., living units), provided the residences in which the living units are located have not been declared alcohol-free, while they themselves remain prohibited from possessing or consuming alcohol. All roommates must agree prior to the invitation and activities of guests.

Behavior or misconduct resulting from the use or abuse of alcohol by a student or group of students on or off campus is a violation of the University's Alcohol Policy and will be subject to University community standards actions as well as the applicable state or local laws when police file charges.

Drunkenness (visible intoxication) anywhere on or off campus is prohibited. The abuse of alcohol by individuals of any age will not be tolerated and students will be held responsible for their actions as members of the Alvernia University community.

### **Medical Amnesty Policy**

In cases of intoxication and/or alcohol poisoning, the primary concern is for the health and safety of the individual(s) at risk. Individuals are strongly encouraged to call for medical assistance for themselves or for a friend/acquaintance who is dangerously intoxicated. A student seeking assistance from University personnel or medical treatment for him/herself or another student will not routinely be subject to disciplinary action for alcohol violations. Students will be required, instead, to consult with the Director of Community Standards and may be required to participate in an appropriate educational program, which will not be noted in the student's disciplinary file. Patterns of such incidents, however, particularly if there is evidence that the reporting student is found to have contributed to another student's impaired physical condition (e.g., purchasing or furnishing alcohol to that student) or incidents in which federal, state, or local laws require disciplinary action may result in the student being subject to disciplinary action. Students are reminded that, in a community setting, all are expected to take responsibility for the well-being of others.

### **Alcohol at University Sponsored Events**

1. Alvernia University faculty, staff, students and guests, who are 21 years or older may possess and consume alcohol at locations where alcohol is approved and provided by the University.
2. The University retains the right to request identification and proof of age from all persons seeking admission to University events where alcohol will be served.
3. Carrying open containers outside of the event is prohibited.

4. Non-alcoholic beverages and food must be served when alcohol is served.

### **Alcohol in the Residence Halls**

- Alcohol is not permitted in any living units in Anthony Hall, Clare Hall, Francis Hall, Veronica Hall, Holleran Hall, or Judge Hall. All living units in those halls are designated alcohol free. No one, regardless of age, is allowed to possess or consume alcohol in those buildings.
- Alcohol is permitted in the living units of the other residence halls, under the conditions outlined in the Major Alcohol Policy Statements above. When alcohol is being consumed, doors to living units must be kept closed; an open door causes a living unit to be considered a public space, in which alcohol consumption is not permitted.
- Presence in any living unit (room, apartment, or townhouse) where an alcohol policy violation is taking place, even if not actually in possession of or consuming alcoholic beverages, will result in disciplinary action.
- Residents holding a gathering in their living unit where an alcohol violation is taking place will be considered the hosts. Hosts can be held responsible for injury or damage occurring to any person or property in which the consumption of alcohol was a contributing factor. Hosts will be subject to disciplinary action and may receive more serious sanctions.
- At the time of an alcohol violation, all alcohol and containers will be confiscated and properly disposed of regardless of the age of the occupant(s) or the designation of the living unit as one in which alcohol is permitted or not permitted.
- Kegs, beer balls and multi-quart containers of alcohol are prohibited in all living units at all times.
- Possession of grain alcohol is prohibited at all times.
- If a student is of legal drinking age, s/he may transport an alcohol beverage as long as it is in its original closed container. *Only Alvernia University students of legal drinking age may transport alcoholic beverages.*
- Consumption of any form of alcohol in an open container, including but not limited to cups, cans, plastic containers or bottles, is prohibited outside a student's living unit and/or any outside campus area.
- Games or activities that encourage excessive drinking (i.e., beer pong, flip cup, beer funnels, etc.) or the serving of alcohol that lead to the endangerment of an individual's wellbeing or to clear property damage will not be tolerated.
- Consumption of alcohol to the point of visible intoxication, regardless of age, is prohibited. Behavioral symptoms frequently associated with intoxication will be considered in determining visible intoxication. These symptoms may include, but are not limited to, the following: impaired motor skill coordination, difficulty communicating, vomiting, glazed/red eyes, the smell of alcohol on one's breath, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior which may endanger oneself or others. A person in this condition may be asked to leave the campus. If the person is a student, the student's family or emergency contact may be called to assist. Other guests may have transportation arranged (at the intoxicated person's expense) to take them to their residences.
- Alcohol beverage containers and paraphernalia designed for rapid ingestion of alcohol (i.e., shot glasses, funnels, etc.) are prohibited.
- Glass bottles and other alcohol beverage containers shall be disposed of properly. The intentional breaking of glass containers, or failing to clean up unintentionally broken glass, will be subject to discipline action.
- No student shall possess alcohol displays made up of empty alcohol beverage containers. All alcohol containers must be disposed of after each use.
- Students are not permitted to order or receive a delivery of beer, even if student is of legal age.

To help students understand what is and what is not permitted under the **Alcohol in the Residence Halls regulations** the following interpretation is included:

Persons under the age of twenty-one **MAY NOT...**

- ...be in possession of or in the presence of alcohol in any living unit, except as outlined in the Major Alcohol Policy Statements above.
- ...permit persons to bring in or consume alcohol in their living unit.
- ...carry opened or unopened alcoholic beverage containers any place on campus.
- ...provide alcohol to any persons on campus.

Persons twenty-one and older **MAY NOT...**

- ...consume alcohol outside of a living unit in a residence in which alcohol is permitted (e.g., lobby, hallways, stairwells, grounds, etc.).
- ...possess/consume alcohol in a residence designated alcohol-free. It is the responsibility of each student to know whether or not a residence is one in which alcohol is permitted or not.
- ...permit underage persons to possess or be in the presence of alcohol in their living unit, except registered roommates, under the circumstances outlined in the Major Alcohol Policy Statements above.
- ...provide alcohol to others under the age of twenty-one.
- ...charge in any way for alcohol consumption by others.

Persons twenty-one and older **MAY...**

- ...possess/consume alcohol in their own living units if the units are in residences in which alcohol is permitted, and all those present are of legal drinking age or are registered roommates, under the conditions outlined in the Major Alcohol Policy Statements above.
- ...consume alcohol in another living unit if it is in a residence in which alcohol is permitted, and all those present are of legal drinking age.
- ...transport unopened alcoholic beverage containers within University housing areas (must be packaged and out of plain view).
- ...provide alcohol in their own living units to others of legal drinking age.

*Note: Persons who are present within a living unit in which alcohol is being consumed by those over or under the legal drinking age will be presumed to have been in some way involved if Public Safety, RAs, RDs, or other University officials are called to the scene. This is because it is not possible to distinguish who is actually consuming or possessing alcohol on an individual basis where a number of persons are present. Officials will collect all names and verify by examining IDS, as they respond to and/or disperse a gathering, and will include those names in any report(s) they may file. Our Community Standards staff will determine the appropriate follow-up responses.*

### **Sanctions/Corrective Initiatives**

Alvernia University is in partnership with Caron Treatment Centers to provide appropriate programming, counseling, and assessment strategies which meet the needs of students who violate Alvernia University's Policies.

In addition, the following specific sanctions guide the University in situations involving illegal drugs or substances after an appropriate process Community Standards Conference. If the student takes responsibility or

is found to be responsible at the hearing, the following sanctions can be applied as listed under the specific violation.

Any student, who is found to have violated this policy, may be subject to sanctions for the specific offense violated in accordance with the following schedule of sanctions.

In addition, at the discretion of the Director of Community Standards, students may be referred to the Associate Vice President of Student Affairs & Dean of Students which may include suspension.

### **In the Presence**

#### **First Offense**

- If there are no circumstances to dictate stronger action, an official letter of reprimand with copy to the student's disciplinary file.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.

#### **Second Offense**

- Will be treated in the same manner as a First Offense for Use/Possession (see below).

#### **Third Offense**

- Will be treated as the same manner as a Second Offense for Use/Possession (see below).

### **Use/Possession/Furnishing**

#### **First Offense**

- \$100 fine which will be added to the student's account.
- Receipt of a discipline warning (in writing) of future disciplinary actions if violations continue.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- Appeal process explained in writing.

#### **Second Offense**

- Required attendance at a scheduled Caron Treatment Centers Level I Assessment and Education Program. In cases where the student has exhibited behaviors and/or actions which are cause for serious concern, the Level II Assessment Education and Program may be replaced with a Level III Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention, assessment and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and rescheduling if a student does not attend the required, scheduled intervention, assessment and/or education program.
- Required completion of the intervention, assessment and prescribed programming.
- Failure by the student to comply with the Caron Treatment Center's intervention, assessment, program and recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all off-campus transportation for intervention, assessment and programming.
- Signed waiver giving permission for all intervention, assessment and programming recommendations will be forwarded to the Assistant Executive Director of Residence Life and Community Standards.
- Receipt of a discipline warning (in writing) of future disciplinary actions if violations continue.

- Probation for one academic semester with consequences explained, verbally and in writing, for any violations of the terms of probation.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- Appeal process explained in writing.

#### **Third Offense**

- Required attendance at a scheduled Caron Treatment Centers Level II Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention, assessment and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and reschedule if a student does not attend the required, scheduled intervention, assessment and/or education program.
- Required completion of the intervention, assessment and prescribed programming.
- Failure by the student to comply with the Caron Treatment Center's intervention, assessment, program and recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all off-campus transportation for intervention, assessment and programming.
- Signed waiver giving permission for all intervention, assessment and programming recommendations will be forwarded to the Assistant Executive Director of Residence Life and Community Standards.
- Probation for one academic semester with consequences explained, verbally and in writing, for any violation of the terms of probation.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- Appeal process explained in writing.

#### **Fourth Offense**

- Suspension from Alvernia University for one academic year.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- Appeal process explained in writing.
- Reinstatement process explained in writing,

#### Immediate Intervention and/or Medical Assistance Required may result in...

- Immediate Interim Suspension and return pending the results of an assessment from a Caron Treatment Centers College Specialist.
- All sanctions as outlined in “Alcohol – Third Offense” (above).

### **Illegal Drugs and Substances Policy**

#### **Introduction**

The use, possession, sale, and distribution of illegal drugs/substances are prohibited. The University seeks to promote an environment free of illegal drugs/substances through education, motivation initiatives, and counseling services. Helping students make good choices about illegal drugs and substances is a campus priority that is reflective of the mission of Alvernia University.

It is the duty of all students to conduct themselves in a manner consistent with the University's policies and regulations. Likewise, in all instances, students are considered fully responsible for their own actions and personal well-being.

In addition, students also are encouraged to be mindful of the well-being of others. Any behavior related to illegal drug or substance use which puts the health or safety of others at risk, or which infringes on the rights of others, does not reflect the mission of Alvernia University.

Therefore, the University encourages all students to carefully consider the potential dangers of illegal drugs and substances. It also reminds students that they are responsible for abiding by all local, state, and federal laws, along with Alvernia University's institutional policies relative to the possession, use, sale, or distribution of illegal drugs/substances.

### **Education**

Alvernia University believes that education is a critical part of its prevention programming. Therefore, the University provides a variety of programs and services to inform students about the negative aspects of illegal drug use and encourages them to make good choices.

### **Relevant Laws**

See Appendix A for the federal and state legal standards with respect to illegal drug and substance use.

### **Major Illegal Drugs/Substances Policy Statements**

For the reasons and rationales stated above, the following policies will guide the University in all situations and cases where illegal drugs/substances are involved:

- The use, sale, possession, and distribution of illegal drugs or substances are serious violations of federal, state, and local laws. Any involvement with illegal drugs or substances (on or off campus) will result in investigations by Alvernia University's Administrators, Public Safety Officers, the local police, and other special investigators (as needed). Appropriate charges will be filed as determined by the various investigations.
- Possession of illegal drugs/substances in any amount is a violation of federal, state, and local law and the University's Drug Policy.
- All assigned residents of an area (room, suite, apartment or townhouse) in which illegal drugs are found, shall be held charged with "possession."
- Any student present, but not possessing or using illegal drugs/substances in an area (room, suite, apartment, townhouse, or off-campus location) in which drugs/substances are found, may be found to be "in the presence" of drugs/illegal substances.
- Paraphernalia related to illegal drug/substance use and abuse is prohibited. This includes, but is not limited to: rolling papers, needles, bongs, hookahs, marijuana pipes, pocket scales, packets, etc.
- Behavior or misconduct resulting from the use or abuse of illegal drugs or substances by a student or group of students on or off campus is a violation of the Student Code of Citizenship and will be subject to Community Standards actions as well as the applicable state or local laws when police file charges.
- Visible intoxication from illegal drugs or substances anywhere on or off campus is prohibited. Such behavior violates the Student Code of Citizenship. The student will be held responsible for his/her actions as members of the Alvernia community.
- The misuse of prescription drugs even ones prescribed to the user may result in Community Standards action.

### **Medical Amnesty Policy**

In cases of intoxication from illegal drugs or substances, the primary concern is for the health and safety of the individual(s) at risk. Individuals are strongly encouraged to call for medical assistance for themselves or for a friend/acquaintance who is dangerously intoxicated. A student seeking assistance from University personnel or medical treatment for themselves or another student will not routinely be subject to disciplinary action for illegal drug or substance violations. Students will be required, instead, to consult with the Assistant Executive Director of Residence Life and Community Standards and may be required to participate in an appropriate educational program, which will not be noted in the student's disciplinary file. Patterns of such incidents, however, particularly if there is evidence that the reporting student is found to have contributed to another student's impaired physical condition (e.g., purchasing or furnishing illegal drugs or substances to that student) or incidents in which federal, state, or local laws require disciplinary action may result in the student being subject to disciplinary action. Students are reminded that, in a community setting, all are expected to take responsibility for the well-being of others.

### **Sanctions/Corrective Initiatives**

Alvernia University is in partnership with Caron Treatment Centers to provide appropriate programming, counseling, and assessment strategies which meet the needs of students who violate Alvernia University's Policies.

In addition, the following specific sanctions guide the University in situations involving illegal drugs or substances after an appropriate Community Standards conference process. If the student takes responsibility, or is found to be responsible at the hearing, the following sanctions can be applied as listed under the specific violation.

Any student who is found to have violated this policy shall be subject to sanctions for the specific offense violated in accordance with the following schedule of sanctions.

In addition, at the discretion of the Director of Community Standards, a student may be referred to the Associate Vice President of Student Affairs & Dean of Students which may include interim suspension.

### **Sale, Distribution, or Intent to Deliver**

- Local police and/or University Public Safety investigate and file charges.
- Immediate Interim Suspension from the University pending the outcome of the investigation.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- If found responsible, dismissal from Alvernia University.
- Appeal process explained in writing.

### **In The Presence**

#### **First Offense**

- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.

#### **Second Offense**

- Will be treated in the same manner as a First Offense for Use/Possession (see below).

#### **Third Offense**

- Will be treated as the same manner as a Second Offense for Use/Possession (see below)

## **Use/Possession**

### **First Offense**

- Local police and/or University Public Safety investigate and may file charges
- \$100 fine which will be added to the student's account
- Probation for one year following incident.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- The appeal process explained in writing.

### **Second Offense**

- Required attendance at a scheduled Caron Treatment Centers Level II Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention, assessment and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and rescheduling if a student does not attend the required, scheduled intervention, assessment and/or education program.
- Required completion of the intervention, assessment and prescribed programming.
- Failure by the student to comply with the Caron Treatment Centers intervention, required programming, and any required recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all transportation for off-campus intervention and programming.
- Signed waiver giving permission for all intervention, assessment and programming recommendations will be forwarded to the Director of Residence Life and the Director of Community Standards.
- Probation for one year following the incident.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- Appeal process explained in writing.

### **Third Offense**

- Suspension from Alvernia University for one academic year.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- Appeal process explained in writing.
- Reinstatement process explained in writing.

### **Fourth Offense**

- Local police and/or public safety investigate and may file charges.
- Immediate Interim Suspension from the University pending outcome of investigation.
- Parental/guardian notification for students under age 21, or for students age 21 and over when permitted by FERPA and University policy.
- If found responsible, immediate dismissal from Alvernia University.
- Appeal process explained in writing.

## **Immediate Intervention and/or Medical Assistance Required**

- Immediate Interim Suspension and return pending the results of an assessment from a Caron Treatment Centers University Specialist.
- All sanctions as outlined in “Drugs and Illegal Substances – Third Offense” (above).

**Special Notes:**

1. “Look-a-Like” drugs (sale, distribution, or use) are considered to be a violation of Alvernia University’s Illegal Drugs/Substances Policy (see illegal drugs/substances policy). Look-a-like drugs are drugs or drug paraphernalia that resemble ordinary household or common legal products.
2. Alvernia students are not permitted to sell or distribute prescription drugs that were prescribed for their personal use (see illegal drugs/substances policy).
3. Use of prescription drugs by any student other than the named individual on the prescription itself or the pharmaceutical bottle is a violation of policy and illegal in terms of Alvernia University’s Policy (see illegal drugs/substances policy).
4. Students who experiment with or are dependent upon drugs or alcohol may receive help voluntarily or involuntarily. In all cases, the University will pursue a course of action designed to promote the well-being of the student, protect the welfare of the University community, and demonstrate respect for federal and state laws. Every attempt is made to design a treatment program that allows a student with a substance abuse problem to remain in school. Confidentiality is held in the highest regard.

In a commitment to informing the entire University community of the risks and dangers of drug and alcohol abuse, Alvernia University sponsors numerous programs including lectures, student-sponsored events, and educational software and web-based programs. The University offers counseling and referral services for assessment and treatment.

*Contact the Medical and Counseling Center at 610-568-1467.*

## POLICY INFORMATION

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A student found responsible for violation of any campus or residence hall policy may be sanctioned appropriately. Please see the Community Standards section for sanctioning guidelines.

### **Antihazing Policy**

#### **Section I: Policy Statement**

Consistent with its Catholic Franciscan mission, it is the express intent of Alvernia University that hazing of any type will not be tolerated. Any student, student group, student organization,<sup>18</sup> team, or other persons associated with a student organization found responsible of Hazing, Aggravated Hazing, or Organizational Hazing under this Policy, whether occurring on or off campus, may face disciplinary action from the University, up to and including expulsion, and may also face criminal charges under state law including, but not limited to, prosecution pursuant to The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, et seq.

#### **Section II: Purpose**

The purpose of this document is to state Alvernia University Anti-Hazing Policy; identify the manner in which Alvernia University will enforce this Policy; and identify resources for reporting violations of this Policy.

**Section III: Application** — It is the express intent of Alvernia University that this policy shall apply to each of the following:

- Individual students—this includes all enrolled students, any prospective students (including recruits) and any students who have been admitted to the University.
- Organizations—this includes all registered student organizations, teams, honor societies, student groups affiliated with specific departments (ex: student ambassadors, orientation leaders, resident assistants, tutors, etc.)
- Other persons associated with an organization —this includes any advisors, alumni, coaches and any representatives, directors, trustees or officers of any national or parent organization.

#### **Section IV: Jurisdiction**

This Policy applies to any acts of Hazing, Aggravated Hazing, or Organizational Hazing, as hereinafter defined, occurring on or off campus.

#### **Section V: Prohibited Acts**

Alvernia University adheres to The Timothy J. Piazza Antihazing Law and the federal Stop Campus Hazing Act.

Alvernia University defines hazing to include: Hazing, Aggravated Hazing, and Organizational Hazing. Hazing, Aggravated Hazing, and Organizational Hazing (defined below) are each prohibited by Alvernia University Policy. It shall not be a defense to a violation of this Policy that the consent of the minor or student was sought or obtained, or that the conduct was sanctioned or approved by the organization.

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<sup>18</sup> “Organization” includes any organization, regardless of whether the organization is or was established or recognized by Alvernia University.

**Hazing:** A person commits the offense of hazing if the person intentionally, knowingly, or recklessly, for the purpose of initiating, admitting, or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces, or forces a minor or student to do any of the items listed below in (1) — (8) or otherwise causes or creates a risk of physical or psychological injury, beyond the reasonable risk encountered in the course of participation in the institution of higher education or organization. Hazing shall NOT include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

1. Violate Federal or State criminal law;
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the minor or student to a risk of emotional or physical harm;
3. Endure brutality of a physical nature, including but not limited to whipping, beating, branding, calisthenics or exposure to the elements;
4. Endure brutality of a mental nature, including but not limited to activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, being restricted from practicing personal hygiene or conduct that could result in extreme embarrassment;
5. Endure brutality of a sexual nature or be caused, coerced, or induced to perform a sexual act or to be exposed indecently;
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student or places a person in reasonable fear through the use of threatening words or conduct.
7. Be transported against their will.
8. Be caused, coerced, or induced to perform an act of personal servitude.

**Aggravated Hazing:** A person commits the offense of aggravated hazing if the person commits a violation of Hazing that results in serious bodily injury (i.e., bodily injury that creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ,) or death to the minor or student; and

1. The person acts with reckless indifference to the health and safety of the minor or student; or
2. The person causes, coerces, or forces the consumption of an alcoholic liquid or drug by the minor or student.

**Organizational Hazing:** An organization commits the offense of Organizational Hazing if the organization intentionally, knowingly, or recklessly promotes or facilitates a violation of Hazing or Aggravated Hazing.

## **Section VI: Reporting Violations of this Policy**

Alvernia University encourages all members of the Alvernia University community who believe that they have witnessed, experienced, or are aware of conduct that constitutes Hazing, Aggravated Hazing, or Organizational Hazing in violation of this Policy to report the violation to:

1. Director of Public Safety  
George Smith  
Dr. Frank A. Franco Library Learning Center 105A  
400 St. Bernardine St., Reading, PA 19607  
(610) 790-1975  
george.smith@alvernia.edu

2. Associate Vice President of Student Affairs and Dean of Students  
Abby Swatchick  
Campus Commons 204  
400 St. Bernardine St., Reading, PA 19607  
(610) 796-8205  
Abby.swatchick@alvernia.edu
  
3. Director of Community Standards  
Corinne Iya  
Campus Commons 104G  
400 St. Bernardine St., Reading, PA 19607  
(610) 796-5114  
Corinne.iya@alvernia.edu

Pennsylvania Safe Harbor law provides protection from criminal prosecution to individuals who make an immediate report of hazing to obtain medical attention for a victim.

### **Section VII: Enforcement of this Policy and Investigations**

Any violation of this Policy shall be deemed a violation of Alvernia University Code of Citizenship and applicable laws. All allegations of Hazing, Aggravated Hazing, or Organizational Hazing will be investigated by Public Safety and referred to Community Standards for follow up based on the results of the investigation(s)

### **Section VIII: Sanctions**

Sanctions will be imposed for violations of this policy, even if another Alvernia University policy or policies are violated and sanctions are imposed pursuant to that other policy or policies.

Anyone found responsible for violating this Policy may face disciplinary action as stated in the Student Handbook including expulsion from the University.

Organizations found responsible may suffer withdrawal of University recognition and prohibition of future existence on campus.

### **Section IX: Institutional Reporting**

#### **Bi-Annual Report required by State Law**

In compliance with state law, Alvernia University will maintain a report of all violations of this Policy or of Federal or State laws related to hazing that are reported to Alvernia University. Alvernia University will update the report biennially on January 1 and August 1 and will post the updated report on its publicly accessible Internet website. This report will include the following information:

1. The name of the subject of the report
2. The date when the subject was charged with a violation of this policy or state or federal law related to hazing.
3. A general description of the violation, any investigation and findings by the institution, and if applicable, penalties.
4. The date on which the matter resolved.

In compliance with FERPA, no personally identifiable information will be included in the Biannual Report.

Biannual Report data will be retained for a period of five (5) years.

### **Annual Security Report**

Beginning January 1, 2025, all reports of hazing made to campus or local police will be included in Alvernia University's Annual Security Report, which is published by October 1<sup>st</sup> of each year. The first Annual Security Report to include hazing statistics information will be the 2026 Annual Security Report.

### **Campus Hazing Transparency Act Report**

Beginning July 1, 2025, Alvernia University will begin to collect data for its Campus Hazing Transparency Act Report. The Campus Hazing Transparency Act Report will include all incidents of hazing for which a finding of responsibility is issued. The first report will be made publicly available on Alvernia University's Internet website no later than December 23, 2025, or upon the first finding of responsibility for hazing. Thereafter, the report will be updated biannually no later than December 23<sup>rd</sup> and June 23<sup>rd</sup> of each year. In compliance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, no personally identifiable information will be included in the Campus Hazing Transparency Act report, except as permitted by FERPA regulations at 34 C.F.R. 99.31. Campus Hazing Transparency Act report data will be retained for a period of five (5) years.

This report will include the following information:

1. The name of the organization
2. A description of the violation, including the date of incident, the date an investigation was commenced, and any alcohol or illegal drugs involved in the incident.
3. A description of the finding issued by the University.
4. The sanctions placed on the organization by the University.

### **Section X: Prevention and Education Strategies**

In furtherance of this Policy, Alvernia University provides students and employees with training on hazing deterrence and prevention, including training on this policy, bystander intervention training, training on ethical leadership, and training on methods for promoting group cohesion without the use of hazing.

### **Breach of Security/Unlawful Entry**

Any act that compromises the safety and security of Alvernia University students, staff, and faculty is a breach of security. This includes, but is not limited to, tampering with lock mechanisms or door alarms, providing an access key to an unauthorized person, obstructing Public Safety during an investigation, tampering with equipment, and failure to follow visitor procedures. Such conduct may also constitute a criminal act and may be reported to law enforcement authorities.

### **Communication Policy**

A primary mode of communication for the University is the University email system. Students must check their Alvernia email account regularly and are responsible for reviewing its content and complying with any University requests sent to that account. Students are deemed to have received notice of any communication sent to their University email account within 24 hours of transmission. The University may also communicate with students via phone or US Postal Service. Therefore, students are required to maintain a current mailing address and phone number. Please see the Registrar's Office for information about updating your address. In case of a

campus emergency, the University may use the Omnilert service. (See the Omnilert us section under Student Services for more information.)

### **Computing Resources Acceptable Use Policy**

Alvernia University makes available computing and network resources, which may be used by University students, faculty, and staff. These are intended to be used for educational purposes and to carry out the legitimate business of the University. Appropriate use of the resources includes instruction, independent research and study, and the official work of the campus organizations and agencies of the University. Commercial and partisan political use of the University's computing resources are strictly prohibited. Students should not expect that any information they place on the University computing systems to be confidential, nor should students have any expectation of privacy as the University may, in its sole discretion, review this information on an intermittent basis.

The University does not regularly monitor user files, messages or data on its computing systems. However, certain system administrators and other individuals may have access to the full content of user accounts. They may access account contents if a perceived threat to system security or a violation of University policy or local, state, or federal law is discovered or reasonably suspected. Access to the computing resources of Alvernia University is granted subject to University policies, and local, state, and federal laws.

Policy violations that constitute a breach of the Student Code of Citizenship will be referred to the appropriate authorities. In addition, violations of the law will also be referred to the civil authorities. Information Technology Division staff may take immediate action to prevent ongoing interference with network and system operations, or to ensure system integrity. See Appendix C: Computing Resources Acceptable Use Guidelines for additional information.

### **Copyright Infringement**

Copyright infringement (or copyright violation) is the unauthorized use of material that is covered by copyright law, in a manner that violates one of the original copyright owner's exclusive rights, such as the right to reproduce or perform the copyrighted work, or to make derivative works. Copyright infringement is a violation of the Student Code of Citizenship and federal law. Students found responsible will be sanctioned appropriately. Please see Appendix C: Computing Resources Acceptable Use Policy for additional information.

### **Credit Card Marketing**

The University does not allow the marketing of credit cards on campus. The only exception to this policy is marketing pieces that come as first-class mail addressed to an individual by name.

### **Disruptive Behavior**

Disruptive behavior includes any action that disrupts a peaceful environment. When students enter the University community, they take upon themselves certain responsibilities and obligations, including satisfactory academic performance and social behavior consistent with the lawful purpose of the University. Student conduct, therefore, is not considered in isolation within the University community, but as an integral part of the educational process. Disruptive conduct includes, but is not limited to assault, misconduct, threats to personal safety, harassment, "bullying", fighting, making excessive noise, and any other type of disruption or conduct that interferes with the rights and opportunities of those who attend the University for the purposes for which the University exists.

Additionally, speech or behavior that materially and substantially disrupts the University living environment will not be tolerated.

### **Fire Safety Policy**

The firefighting equipment, fire and smoke alarm systems, as well as appropriate procedures are provided for the protection of life and property in case of fire. Tampering in any way with such equipment or failure to comply with fire safety procedures is a violation of the fire safety policy. Furthermore, it is a violation of the fire safety policy to fail to vacate a building if a fire alarm sounds. Violation of the fire safety policy in regard to tampering with equipment will result in community standards action. Failure to follow fire safety procedures will result in disciplinary action.

### **Fire Pit Policy**

Fire pits are provided by the University. Personal fire pits are NOT permitted. Students can reserve the permanent fire pit on the quad or request a portable fire pit by creating an event in Astra. Event request must be submitted at least 2 weeks in advance. Fire extinguishers will be issued along with the fire pit. Extinguishers are only to be used in case of emergency and not for routine extinguishing of fires. Fire pit and an extinguisher will be dropped off the day of the event and picked up the next morning. Students must obey current burn bans. If a burn ban is in place, student requesting the fire pit will be notified and the event will be cancelled. When using the fire pit the following must be observed:

- Fire pits must be at least 25 feet away from all buildings and structures.
- Fire must be contained in the issued fire pit and may not exceed 3 feet diameter or 3 feet in height.
- Students may only use the provided seasoned, dry firewood or starter logs.
- Students are not permitted to use wood taken from trees on or off campus.
- Use of accelerants such as gasoline, alcohol, or lighter fluid is prohibited.
- Fires must be monitored at all times by student requesting use of fire pit.
- All fires must be completely extinguished with water no later than 12 am.

Any violation of the fire pit policy will be subject to action through the Office of Community Standards.

### **Gambling**

Gambling for profit or gain, including online gambling, is a violation of policy.

### **Health Requirements Policy**

It is the policy of Alvernia University to require all full-time undergraduate degree seeking students to provide record of childhood immunizations. In addition, graduate students residing in campus housing must also comply with the following health requirements.

Vaccination requirements may vary for both undergraduate and graduate students who participate in off-campus educational experiences. These additional requirements are detailed in the program of study's student handbook or defined by the experiential learning site. It is the student's responsibility to confirm compliance with those requirements before the start of the off-campus educational experience. Failure to meet these requirements may result in the student being unable to participate in the off-campus educational experience, which may affect the student's ability to complete their program of study.

### **PURPOSE**

Alvernia University's Undergraduate Immunization Policy has been established to protect the health and well-being of the entire campus community.

## **PROCEDURE**

Alvernia University students will complete the immunization requirements through the COMPLIO health compliance portal by attaching an image or copy of their immunization record from their medical provider, high school nurse, or previous higher education institution. Compliance with the University's immunization requirements will be determined by COMPLIO and Alvernia University. Alvernia University retains final authority to determine compliance and may override COMPLIO determinations in its sole discretion. Any student not compliant with the requirements will have a health hold placed on their student record until they have completed the required immunizations or obtained an approved exemption. In addition, residential students will have their keys withheld and/or access to their residential hall removed until compliance is achieved.

## **REQUIREMENTS**

1. Measles, Mumps, Rubella (MMR)
  - a. Documentation of two (2) doses administered after 12 months of age and dated at least 28 days apart, OR
  - b. Results from a blood test confirming immunity to measles, mumps and rubella
2. Varicella
  - a. Documentation of two (2) doses administered after 12 months of age and dated at least 28 days apart OR
  - b. Documentation of a history of the disease (chicken pox) OR
  - c. Results from a blood test confirming immunity to varicella (completed vaccination series or blood test are required for health care programs)
3. Tetanus, Diphtheria, Pertussis (Tdap)
  - a. Documentation of one (1) dose of Tdap administered after age 10.
4. Hepatitis B
  - a. Documentation of a series of three (3) age-appropriate doses of the hepatitis B vaccine. Minimum interval between doses is 4 weeks between the first and second dose, 8 weeks between the second and third dose, and at least 16 weeks between the first and third dose OR
  - b. Documentation of two (2) adult doses may be provided if the student was vaccinated between 11-15 years of age, with the second dose given 4-6 months after the first OR
  - c. Request consideration of alternative catch-up schedule approved by the Centers for Disease Control and Prevention (CDC) OR
  - d. Results from a blood test confirming immunity to Hepatitis B (Hep B surface antibody test)
5. Meningococcal Quadrivalent ACWY
  - a. Documentation of the meningococcal quadrivalent conjugate vaccine administered after 16 years of age. If the initial dose was given prior to age 16, a booster dose must be documented OR
  - b. The student may sign a waiver declining the meningitis vaccine in accordance with Pennsylvania state law (35 P.S. 633). However, students who decline the meningitis vaccine may be required to leave campus housing in the event of a meningitis outbreak as determined by public health authorities.

- i. Pennsylvania State Law requires all college students must provide documentation of a valid meningitis vaccine as above or a signed waiver declining the vaccine to reside on campus.
6. The following vaccinations are strongly recommended:
  - a. COVID-19
    - i. Primary series (if prior to 4/19/23) and/or Booster COVID Vaccine
  - b. Hepatitis A
    - i. Documentation of a series of two (2) age-appropriate doses of the hepatitis A vaccine.
  - c. Meningitis B
    - i. Documentation of a series of two (2) age-appropriate doses of the meningitis B vaccine.
  - d. Influenza
    - i. Documentation of one seasonal influenza vaccine, annually.
7. Alvernia University students may request an exemption from the University's immunization requirements for the following reasons:
  - a. Medical Exemption
    - i. Students may request a medical exemption from a specific vaccination if a licensed physician, physician's associate/assistant, or nurse practitioner provides a signed written statement that vaccination may be detrimental to the health of the student, with the reason for this determination.
    - ii. When the healthcare provider determines that vaccination is no longer detrimental to the student's health, the student is required to complete the vaccination.
  - b. Religious Exemption
    - i. Students may request religious exemption from a specific vaccine if the student objects in writing to the vaccination on religious grounds or on the basis of a strong moral or ethical conviction similar to religious belief.
  - c. Process
    - i. Student requests a Vaccine Exemption form by sending a message through the COMPLIO student portal requesting the form to be added to their record.
    - ii. Student must complete the form.
    - iii. A medical reviewer with COMPLIO will review the request for exemption and share the review with the university, and the university will make the final decision on health compliance.

**ADDITIONAL FIELD OF STUDY REQUIREMENTS** (includes those students participating in internships at sites categorized as "Education" or "Healthcare" OR site affiliation agreement dictates need for additional requirements)

**\*\* ALL UNDERGRADUATE AND GRADUATE STUDENTS IN THE PROGRAMS LISTED BELOW MUST ALSO MEET THE UNDERGRADUATE REQUIREMENTS LISTED ABOVE TO FULFILL HEALTH REQUIREMENT COMPLIANCE\*\***

1. Education

- a. Tuberculosis testing prior to the start of the student teaching/observation experience with PPD skin test or blood test (QuantiFERON TB gold or TSpot). Testing must occur no earlier than 3 months prior to matriculation.
2. School of Health Sciences
  - a. The following vaccines are required. Exemptions may be requested per the policy above (#7 under “Requirements”) and may impact the educational experience.
    - i. COVID-19 vaccine - Primary series (if prior to 4/19/23) and/or booster COVID Vaccine
    - ii. Influenza - one seasonal influenza vaccine, annually.
  - b. The following blood tests or forms are required
    - i. Hepatitis B - Results from a blood test confirming immunity to Hepatitis B (Hep B surface antibody test) OR completed declination form
    - ii. Varicella – Results from a blood test confirming immunity to Varicella IF 2 Varicella vaccines are not documented
    - iii. Pneumovax vaccine OR completed declination form
  - c. Annual physical exam
  - d. Urine drug screen at the start of each semester (fall and spring) - see separate drug screen policy
  - e. Tuberculosis testing annually – testing may be skin testing (PPD) or blood test (QuantiFERON TB Gold or Tspot)
    - i. QuantiFERON / Tspot – one test required annually
    - ii. Skin Test / PPD – to be compliant for tuberculosis record must include
      1. One test within the past year (365 days) and
      2. One test within the past 2 years (730 days) (PPD or QuantiFERON/Tspot)OR
      3. Initial requirement may be met with a 2-step TB test within the past years (two tests placed 7-21 days apart) followed by an annual single step test.

### **Health Insurance Requirements**

The university requires all full-time undergraduate students — and graduate students in DPT, DNP, MSN, MSOT, MSAT, MSW and Physician Associate programs — to maintain health insurance coverage and requires an annual copy of each student's current insurance card by August 1 for students enrolled in the fall semester and January 1 for students who are starting at Alvernia in the spring semester. This must be done once per academic calendar year.

The university does not offer a student health insurance plan. If you need health insurance coverage, the following sites offer access to purchase coverage through the federal and state insurance marketplace:

- [www.healthcare.gov](http://www.healthcare.gov)
- [www.pennie.com](http://www.pennie.com)

### **Identification Card (ID) Policy**

For purpose of identification, students are required to carry their Alvernia University student identification card at all times.

Identification cards are available in the Public Safety Office. Arrangements are made for satellite students to receive their card at their satellite site.

All new students at Alvernia University are issued their first student ID card at no charge. Valid identification, such as a driver's license, passport, or military ID, and verification of enrollment status, is required before a student can be photographed and issued a student identification card. For purpose of identification, students are required to carry their Alvernia University student identification card at all times.

Presentation of an ID card is required for services in the cardio center, dining areas, and library. It may also be required for other University activities and services. ID cards may be used for appropriate educational discounts and admission to facilities at other institutions, etc. Failure to produce a valid ID card when requested by a University official, fraudulent use of the card, and/or transfer of an ID card to another person, may result in confiscation, loss of privileges, and/or disciplinary action.

Labels or stickers may not be added to the ID card since their presence would interfere with the electronic reading of the card. Punching holes (for hanging, etc.) and burning (branding) are also prohibited.

In order to prevent unauthorized use, it is the individual's responsibility to report a lost ID card to the Public Safety Office immediately by calling 610-796-8350. Alvernia University is not responsible for any loss or expense resulting from the loss, theft, or misuse of this card. Funds deposited on the card should be treated as cash. If lost or stolen, any value on the card cannot be refunded. It is also up to the individual to obtain a replacement card by presenting proper identification and paying the currently approved replacement fee.

*All cards remain the property of Alvernia University and are not transferable.*

Unauthorized use of ID may result in additional state and/or federal violations. See Appendix A: Section 6310.2 and Section 6310.3 for more information.

### **Influencing a Person to Commit a Violation**

It is unacceptable for a student to pressure, prod, or provoke another student to actions which violate legal or University community standards.

### **Invasion of Privacy**

Knowingly invading or infringing on the private space and/or property of another person is an invasion of privacy and subject to disciplinary action.

### **Media Release Policy**

Alvernia University utilizes photographs and video of our students to promote our mission and our University. Students may withhold permission to have photographs, video and audio recordings used by the University. If you DO NOT wish to be photographed or video recorded, you must contact the Office of Marketing and Communications to complete an Opt-Out Form. You can reach the Office of Marketing and Communications at news@alvernia.edu.

### **Nondiscrimination Policy**

**Alvernia University complies with all applicable federal, state, and local nondiscrimination laws in the administration of its educational programs and services and its employment relationships. See the University Catalog for the full policy.**

### **Peaceful Assembly/Protest Guidelines for Students**

Our *Student Handbook* states that each student, as a citizen, has the right of petition, freedom of speech, and peaceful assembly, except where such rights conflict with the good of the community.

When exercising these freedoms within those conditions, please remember that our *Student Handbook* also states that each student is expected to act in ways that fulfill the Student Code of Citizenship, which requires each student

- to be honest;
- to respect the rights of all people, property, and the environment;
- to treat others with kindness and empathy; to act in a civil manner in all settings;
- to read, know, and comply with all published University policies, procedures, rules, and regulations;
- to cooperate with the requests of University officials as they fulfill their duties; and
- to comply with all federal, state, and local laws.

Please ensure, then, that your assembly or protest meets those criteria. Failure to comply may result in Community Standards action. For further discussion about how to do so or to address directly with the University administration the concern that underlies your assembly or protest, please contact the Office of Community Standards.

### **Lived Name Policy**

This policy promotes and supports an open and inclusive environment through the establishment of a lived name, gender identity, name prefixes, pronouns, and sexual orientation for use within University systems, where feasible. [Read the policy here.](#)

### **Social Media Policy**

Alvernia University understands and encourages using social media platforms to connect with others including prospective students, current students, employees, alumni, supporters, and the greater Alvernia community. Social media refers to the use of web-based and mobile technologies for dispersing content, communication and interactive dialogue. Examples include but are not limited to TikTok, Instagram, X, Facebook, Snapchat, LinkedIn, YikYak, Fizz, Threads, YouTube, Reddit, Twitch and more.

Social media platforms have been proven to encourage engaging discussions about university stories, events, accolades, initiatives and necessary updates. However, it is important to remember that online social networking, on personal accounts and professional accounts, publicly exposes the user, even on anonymous platforms.

All policies in the Student Code of Citizenship, including but not limited to the policies related to privacy, harassment, hazing, threats and stalking, apply to online social networking. The University will respond to all complaints, reports and sightings of alleged misconduct, including those online. Alvernia may take action to

identify individuals who post content anonymously, publicly or privately that violates Alvernia's Student Code of Citizenship and the Social Media Policy. Students found responsible for violating the Student Code of Citizenship and the Social Media Policy will be sanctioned as appropriate.

The policies below also apply if you have already contributed to or plan to contribute to an official Alvernia University's subsidiary account which includes digital and social presences tied to Alvernia through registered student organizations, sports teams, clubs, honor societies, or entities otherwise identifying themselves as affiliated with Alvernia University. Those who manage Alvernia University subsidiary accounts mentioned above should also follow the university's Social Media Policies and Best Practices in addition to the Student Handbook.

### **No Expectation of Privacy**

If you participate in social media using university owned IT resources and communications systems, including signing up for accounts using your university email and using university Wi-Fi, it is important to remember students should have no expectation of privacy whatsoever. This includes any comment, message, file, data, document, post, conversation, or any other kind of information or communications transmitted to, received or printed from, stored or recorded on electronic information and communications systems.

- a. Avoid using the University's IT resources and communications systems for any matter that you desire to be kept private or confidential from the institution in general.
- b. Do not post confidential or proprietary information about Alvernia University, students, employees, or alumni on public, private or anonymous social media accounts in violation of applicable law or University policy. All applicable university privacy and confidentiality policies, including FERPA, apply to social media.
- c. Do not post confidential information or sensitive, personal information as defined by the Family Educational Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act (HIPAA), and National Collegiate Athletic Association (NCAA) regulations on public, private or anonymous social media accounts.
- d. Do not post photos or discuss a situation involving named or pictured individuals on a social media site without their permission on public, private or anonymous accounts.

### **Liability**

Remember that you are responsible for what you post on your own site and on the sites of others. Individuals can be held liable for commentary deemed to be copyright infringement, defamatory, proprietary, or obscene. You are also reminded to obey the respective Terms of Service of any social media platform you use.

### **University Monitoring**

- a. In order to prevent misuse, the University reserves the right to monitor, intercept, and review, without further notice, students' activities using IT resources and communications systems, including but not limited to social media postings and activities.
- b. Your consent to such monitoring is validated by your acknowledgment of these policy standards and your use of such resources and systems.
- c. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing retrieving and printing of transactions, messages, communications, postings, logins, recordings and other uses of the systems as well as keystroke capturing and other network monitoring technologies.

- d. The University also may store copies of such data or communications for a period of time after they are created and may delete such copies from time to time without notice.

## **Guidelines**

These guidelines may be helpful for anyone posting on social media in any capacity, including on Alvernia University subsidiary accounts for clubs, student organizations, sports teams, etc. Consistent with the University's mission statement, the user should think about the ethics and responsibility associated with posting content online or within a social network.

### **1. Think twice before posting**

- a. Consider the fact that your presence on social media can be made available to the public at large at any time, even on private or anonymous accounts.
- b. Consider the image or narrative you are projecting by the materials and photos you are posting. Is it one that you want current and future friends or colleagues to know you by? What does your profile say to Alvernia community members and students about you, your sports team or your registered club or organization?
- c. Before publishing, ensure the post will not alienate, harm, provoke or otherwise infringe on others, especially those in the extended Alvernia University community (prospective and current students and parents, faculty, staff, alumni, administrators, trustees, donors, etc.).
- d. Take precautionary measures to protect yourself against sexual assault, stalking, identity theft, and burglary by not posting personal information on your personal account or Alvernia University subsidiary account.
- e. Never give out any personal information such as your address, birth date, class schedule, student schedule or phone numbers.
- f. Drinking, drugs, lewd behavior, bullying, and hazing issues result in serious consequences, present and future.
- g. Not only could it affect your college career, but 80% of employers do internet searches when hiring potential new employees.
- h. Removing material from network caches can be difficult.
  - i. Posted material can remain accessible on the Internet until you've completed the prescribed process for removing information from the caching technology of one or multiple (potentially unknown) search engines.
  - ii. It is important to read the social networking site's privacy and caching statements regarding removing content.

### **2. On personal sites, identify your views as your own**

- a. The line between professional/academic and personal business is sometimes blurred. Be thoughtful about your posting's content and potential audiences.
- b. Be honest about your identity. If you identify yourself as an Alvernia University student, member of a sports team registered club or organization in personal posts, please be clear that you are sharing your views as an individual, not as a
- c. representative of the University.

### **3. Be respectful.**

- a. Social media should never be used in a way that defames or disparages Alvernia or its community members and stakeholders.
- b. If you are concerned about a student, friend, Alvernia community member or yourself, please use the Report It form.
- c. If you have questions or concerns about anything regarding Alvernia University or your experience at the university, contact any university representative and they will connect you with the proper source to address the questions or concerns.
- d. Understand that content contributed to a social media site could encourage comments or discussion of opposing ideas, especially as viewership increases.
  - i. Responses should be considered carefully in light of how they would reflect on the poster and/or the University and its institutional mission, especially for Alvernia University subsidiary accounts.

**4. Strive for accuracy**

- a. Get the facts straight before posting them on social media, especially on Alvernia University subsidiary accounts. Review content for factual, grammatical and spelling errors.
- b. If you are unsure about institutional facts, do not post them until you have confirmed them.
- c. Triple check sources when sharing, creating or changing content online.

**5. Photography**

- a. Visitors can easily fabricate photographs posted on social media sites, especially considering advancements with Artificial Intelligence.
- b. Consider adding a watermark and/or posting images at 72 dpi and approximately 800x600 resolution to protect your intellectual property.
- c. Remember that copying and pasting others' images, including the university's, is against copyright laws. If you have questions regarding the usage or purchase of the university's images, please contact the Office of Marketing and Communications at 610-796-8281.
- d. For guidance, collaborate with the Office of Student Activities to consult the guidelines for Copyright and Fair Use Policy on the Library's website. Questions regarding this policy or what options may be available for resolving issues arising under it may be referred to department/division managers, departmental chairs, the Office of the Provost or Human Resources.

**6. Alvernia University name, image and likeness**

- a. Do not use Alvernia University logos or any other university images as original content on personal social media sites, websites, etc.
  - i. With written or email permission, content may be shared directly from official Alvernia University accounts or subsidiary accounts or repurposed for you to post individually.
  - ii. You may share or repost content from official university sites to Instagram & Facebook Stories or through other in-platform features on social media as long as the content is not claimed as your own.
- b. Do not use Alvernia University's name to endorse or promote a product, cause, event, political party/candidate or the like.
- c. Unless specifically instructed, students and/or registered clubs or organizations are not authorized to speak on behalf of the University.

- d. To collaborate with the University's Office of Marketing & Communications on promotion of an event or initiative, please email [marketing@alvernia.edu](mailto:marketing@alvernia.edu).

## **7. Manage privacy settings**

- a. Help control who can look at your profile, personal information, location and photos. You can limit access somewhat or completely depending on the platforms.
- b. Think about how much information you want to share with others. Not everyone will respect your personal or physical space.
- c. Even with privacy settings, complete privacy is not always guaranteed. Refer back to the No Expectation of Privacy section.

### **Misuse of Social Media**

Users are not permitted to use Alvernia computing resources to create, transmit or store threatening, obscene or harassing materials. You should not produce or transmit any work that has the intent or effect of unreasonably interfering with individual's or a group's educational or work performance at Alvernia or elsewhere, or that creates an intimidating, hostile or offensive educational, work or living environment. This includes viewing, sending or making available offensive materials, unless such activity is appropriate for academic or work purpose. Users of all such services have a responsibility to use these services properly and to respect the rights of others in their use of these services and in accordance with published terms of service. All relevant Alvernia policies apply to the use of these services, but in particular:

1. Users may not use these services in violation of any applicable laws.
2. Any use that might contribute to the creation of a hostile academic or work environment is prohibited.
3. Any unauthorized commercial, non-profit, political or advocacy use not required for course work, research, or the conduct of Alvernia business is prohibited.
4. Any non- incidental personal use such as advertisements, solicitations, or promotions is prohibited.
5. Users may not produce, publish, transmit or distribute materials using the Alvernia network that are contrary to the mission and identity of the University.
6. Alvernia administrators have authorized certain individuals to send electronic mail to large groups such as faculty, all staff, all undergraduates, specific classes or groups, alumni, etc., or to the entire Alvernia community. These lists are not open to posts from the community at large. When using these lists, it is the sender's obligation to understand the service and to protect the recipients from intentional or unintentional disclosure of private information.
7. Any content posted to a service that is inconsistent with these rules, as well as unsolicited mail from outside of Alvernia (e.g., SPAM) may be subject to automated interception, quarantine and disposal. Furthermore, violation of the policies and procedures set forth in the Social Media Policy will result in disciplinary action up to and including dismissal.

### **Reporting Violations**

Alvernia requests and strongly urges students to report any violations or possible or perceived violations to the Director of Residence Life, Director of Community Standards, or the Associate Vice President of Student Affairs & Dean of Students.

### **Parking and Vehicular Safety Policy**

All motor vehicles parked on campus or at a designated remote parking area must display a current Alvernia University parking permit. A valid state vehicle registration card and academic schedule must be presented at Public Safety in order to obtain a parking permit. Parking permits are issued at the Public Safety Office, located in the library.

#### **Location of Parking Permit**

The color-coded parking permit must be affixed to the front windshield on the inside lower right passenger side. The windshield must be clean, dry, and relatively warm (above 50°) for the sticker to firmly attach.

#### **Temporary Parking Permits**

A temporary parking permit is required for unregistered vehicles being parked on campus. Temporary parking permits can be obtained in the Public Safety Office.

#### **Designated Student Parking**

- A color-coded map, with parking lot designations, is available from the Office of Public Safety.
- Students must park in their assigned parking lot and within lined designated parking spaces.
- Students parking at areas, including public streets/roadways, other than their assigned parking lot will be subject to ticketing by Public Safety or a designee for: Violation of Parking and Vehicular Safety Policy. Commuter students unable to locate space in their designated parking lots will be exempt from this violation. Commuter students who are forced to park on a public street shall make sure they are not blocking residential driveways and/or mailboxes. Failure to comply may be ticketed for Violation of Parking Policy.
- Students are not permitted to relocate their vehicles from their assigned parking area unless leaving campus or authorized by Public Safety Department. Weekend and overnight parking in a non-assigned lot is prohibited and will result in ticketing. At no time is a student permitted to park in a designated faculty/staff parking lot.
- Students may, for the purpose of loading and unloading items from their vehicle, temporarily park in a lot not designated as their assigned lot. This time period shall be brief and not exceed 15 minutes. If a student finds this temporary parking necessary, they shall activate their 4-way emergency flashers for the entire period they are temporarily parked. Vehicles without 4-way flashers activated under the mentioned circumstances will be ticketed.

#### **Accessible Parking**

According to Pennsylvania law, accessible parking spaces are reserved at all times for vehicles displaying valid accessible parking placards or license plates issued by the Commonwealth of Pennsylvania or any other state. Cars parked illegally will be ticketed and towed at the owner's expense.

#### **Fire Lanes**

No one is permitted to park along the sides of roads or in areas marked as fire lanes. Cars illegally parked will be ticketed and towed at the owner's expense.

#### **Speed Limit**

The speed limit on campus is 15 miles per hour.

#### **Violations/Fines**

Fines will be assessed at \$50 and will be added to the student's account. Violations include:

- Parking in unauthorized areas

Vehicles parked in any signed designated spots (including but not limited to handicapped/accessible spaces, fire lanes, loading zones, and reserved spaces) will be fined \$100.00.

- Operating a vehicle in a reckless manner
- Failure to adhere to campus road signs
- Operating vehicle too fast for posted conditions and/or speed limit
- Violation of Parking Regulation - failure to park in designated parking lot or faculty/staff lots
- Failure to register and/or display a current Alvernia parking permit after 30 days from start of school year. Fine is doubled to \$100.
- Unauthorized Use of Faculty/Staff Permit: any student using and/or displaying an unauthorized Faculty/Staff parking permit. Fine is doubled to \$100.
- Refusing to Obey Public Safety Officer Instructions/Directions: any student failing to respond or obey a Public Safety Officer's instructions regarding a traffic and/or parking issue, including failure to produce identification. Fine is doubled to \$100.
- Cars parked in accessible parking areas without a visible accessible parking placard or license plate issued by any state will automatically be towed at the owner's expense.

#### **Frequent Violator**

If a student receives 3 (three) tickets, the car will be immobilized by a “boot”. Students must pay a \$50 fine at Student Financial Services to have the boot removed. Should a student receive 3 (three) additional tickets after the first boot and a second boot is applied, the student will again pay a \$50 fine to have the boot removed and campus parking privileges will be revoked. The student will not be permitted to park on campus property for the remainder of the academic year. If a student attempts to park on campus, the car will be towed at the student's expense.

#### **Vehicle Immobilization**

The Public Safety Department will utilize the process of immobilizing (booting) vehicles that are in violation of the parking rules and regulations. While vehicles can be booted for many reasons, the following is a short list for some of the most common infractions that cause a vehicle to be booted:

- Multiple parking tickets.
- For displaying a lost, stolen, or altered parking permit.
- Vehicles frequently seen on campus not displaying a University Parking Pass may be booted to determine the owner of the vehicle
- Once a vehicle is booted, it is issued a ticket and a \$50.00 booting fee. The boot fee must be paid before the boot is removed from the vehicle. Individuals whose vehicle has been booted must contact the Public Safety Department for boot removal.

Do not attempt to move a vehicle that has been booted. Moving the vehicle backwards or forwards may cause damage to the vehicle.

Any person who tampers with or damages a boot will be responsible for any and all damages to University property and may be subject to disciplinary action under the Student Code of Conduct and/or criminal prosecution under Pennsylvania law.

If your vehicle has been booted, please take the time to read any warning notices that are applied to your vehicle and take the appropriate corrective action.

#### **Vehicle Towing and Removal**

The Public Safety Department also reserves the right to arrange to tow, at owner's expense, any vehicle when the location of the vehicle presents a hazardous or emergency situation and the owner cannot be located.

Below is a short list of several other common infractions that cause a vehicle to be towed:

- Vehicles parked in such a manner as to create a hazard to other traffic or obstructing a road, loading zone, fire hydrant, handicap space or fire lane.
- Any vehicle that is parked illegally and is detrimental to the safety of the campus.

### **Violations and Unpaid Fines**

- Payment is due within five (5) business days of the ticket issue date. Fines are payable in Student Financial Services.
- Unpaid fines may result in placement of a hold on a student's official transcript, and/or diploma until full payment is received.
- On campus parking privileges may be revoked either temporarily or permanently.

### **Responsibility for Violations**

The student in whose name the vehicle is registered on campus is responsible for any penalties arising in connection with the possession or operation of the registered vehicle.

### **Appeal Process**

Students who choose to appeal their violation may obtain an Appeal Form from Public Safety. Completed forms, including the reason why the appeal is being made, must be returned to the Public Safety Office within five (5) business days of the ticket date. A plea of ignorance of the Alvernia University Parking Policy will not be accepted as an excuse for violation.

*Alvernia University assumes NO LIABILITY for theft or damages to vehicles parked on premises.*

### **Posting Policy**

Advertising special events and meetings is a key factor in the success of the University's activities. To provide fair and reasonable access to all posting venues for all constituents and to ensure a standard of appropriateness for posted material based on the University's mission, a Posting Policy was established. [Read the policy here.](#)

### **Recreational Vehicles**

For the safety of all members of the University, the use of skateboards, roller skates, roller blades and human powered cycles (bicycles, unicycles etc.) is prohibited within all buildings upon the campus. Use of these devices is permitted on walkways and paths as long as the right of way is granted to pedestrians. Riding such devices on walls, benches and the like is prohibited.

Due to safety concerns regarding fire safety and operator safety, Hoverboards are not permitted anywhere on the Alvernia University campus. The term "Hoverboards" includes but is not limited to self-balancing scooters, battery or gas operated scooters, hands-free Segway and electric powered skateboards.

### **Smoke-Free Policy**

Alvernia University is committed to providing a healthy, smoke-free environment for students, staff, faculty, and visitors on the campus by reducing health risks associated with tobacco smoke and minimizing discomfort and inconvenience to non-smokers. Therefore, smoking of traditional tobacco (cigarettes, pipes and cigars) and/or use of electronic cigarettes, personal vaporizers and electronic nicotine delivery systems inside campus buildings

is expressly prohibited. Electronic cigarettes, personal vaporizers and electronic nicotine delivery systems are battery powered devices that emit vapor and simulate the feeling of smoking. Smokers must be at least 25 feet from any building entrance, window, or air intake and must use the designated receptacles outside of each building to properly dispose of cigarettes and tobacco products. Smoking cessation resources are available through the Medical and Counseling Center.

### **Solicitation/Sales Policy for Students**

#### **Purpose**

This policy is adopted to protect the campus community from sales and solicitation activities that are disruptive, unrelated to the University's mission and educational purpose, incompatible with its normal operation, and to preserve the University's right to regulate sales and solicitation activities on its property.

#### **Policy Scope and Application**

The Solicitation/Sales Policy for Students applies to all students, including but not limited to individual students, Registered Student Organizations, Athletic Teams and other formal and informal groups of students including residential communities, sections of classes, and so forth, and covers all University-provided equipment (as defined below).

#### **Definitions**

Athletic Teams – all university sponsored varsity or club teams

Equipment – all equipment and facilities owned or controlled by the University in the nature of computers, network servers, telephones, email, fax machines, interoffice mail, voice mail, scanners and photocopiers.

Fundraising – the charging of admission, solicitation for funds, sales, or donations in any form.

Registered Student Organization – any organization which has its constitution approved by the officers of the University and Student Government Association and is on file with the Executive Director of Student Engagement and Leadership.

Solicitation – (or “Soliciting”)

Requesting funds or contributions; peddling or selling, purchasing or offering goods and services for sale or purchase (whether for charitable or commercial purposes);

- Any effort or attempt to canvas, solicit, seek to obtain membership in or support for any organization;
- Posting or distribution of literature, handbills, pamphlets, petitions, and the like of any kind;
- Asking support for a political candidate or otherwise requesting support or commitment with respect to causes, groups or interest;
- Distributing advertising materials, circulars or product samples, or engaging in any other conduct relating to any outside business interests or for profit or personal economic benefit.

Solicitor – any person or entity that engages, attempts, or seeks to engage in solicitation, as defined above.

University – Alvernia University.

University property – any property that is owned, leased, or managed by Alvernia

#### **General Guidelines**

- Alvernia permits solicitation by Alvernia students under these conditions:
- Solicitation must occur only at the approved location(s).
- Solicitors may not excessively or disrespectfully call out to individuals in the vicinity of the solicitation area.

- Even if pre-approved, the University reserves the right to withdraw, at its discretion, approval or cancel all solicitation on its property should it conflict with functions essential to the educational mission of the University.
- Items to be distributed or offered for sale, which contain University trademarks, names or design elements, must be approved by the Executive Director of Student Engagement and Leadership.
- The University also reserves the right to regulate time, place, manner, and duration of approved solicitation activity and any advertising related thereto.
- All solicitation must be consistent with the Mission of the University.

### **Student Guidelines**

- Any solicitation undertaken by student(s) must be approved by the Executive Director of Student Engagement and Leadership, conducted in compliance with the Student Handbook and procedures established by the Office of Student Activities.
- Before granting approval, the Office of Student Activities may require a review of any contract existing between the student(s) and any fundraising partners or charitable organization.
- Each approved solicitor must carry an approval form issued for the activity.
- Any solicitation undertaken by student(s) at a University athletic event either on or off University property; or an Athletic Team must also be approved by the Director of Athletics.
- Any solicitation undertaken by student(s) in any university housing or by a residential community must also be approved by the Executive Director of Student Engagement and Leadership, Director of Residence Life, or designee.
- Students are not permitted to conduct door-to-door sales or place hand-flyers on cars or under residence hall room doors.
- The use of University equipment whereby a student would serve as an agent for an outside business firm must be approved as described above. Some examples are Tupperware, Avon, or Thirty-One.
- Students are expressly prohibited from soliciting/selling services or activities that require a professional license on campus. Such activities include but are not limited to: tattooing, body piercing, and hair cutting.
- Student inquiries regarding the Non-Solicitation Policy should be directed to the Office of Student Activities.

Please note that the Solicitation/Sales Policy for Students is adapted from the Alvernia University Non-Solicitation Policy. For more information on the Alvernia University Non-Solicitation Policy please contact the Office of Procurement & Risk Management.

### **Non-Profit Organization Guidelines**

The University recognizes the value of charitable organizations and encourages employees and students to be active participants in organizations that support or contribute to the mission of the University. With the exception of University authorized charitable giving campaigns such as the United Way, any not-for-profit organization that wishes to solicit on campus must be sponsored by a University-affiliated organization and obtain the approval of the Director of Event Management, which will coordinate with the appropriate University department.

- The organization will be provided with written approval. Sales will normally be conducted from assigned tables in the Student Center or another designated location.
- Arrangements should be made through, and inquiries regarding the Non-Solicitation Policy should be directed to, the Director of Event Management.
- Solicitation by a charitable organization at a University athletic event either on or off University property must also be approved by the Director of Athletics.

### **Additional Guidelines**

- Non-employees or non-students may not engage in solicitation. Any limited exceptions to the Non-Solicitation Policy must be approved by the Vice President for Finance and Administration.
- The Non-Solicitation Policy does not prohibit normal business contacts by authorized vendor representatives engaging in business with the University in compliance with other University policies, provided such contacts are made with the consent of University officials.
- Vendors approved for vending privileges to the University community may, at the discretion of the Office of Procurement and Risk Management, be permitted to sell their products at restricted locations on University property for a limited number of days per year, provided that they register with the Director of Event Management and pay any applicable fee.
- Non-employees or non-students who have not been authorized to enter University property shall be considered trespassers. Trespassers violating this policy who have no affiliation with the University will be removed from University property, given trespass warnings not to return, and may be subject to arrest and prosecution.

### **Theft, Attempted Theft, and Vandalism Policy**

Because the taking or destruction of the property of another is contrary to the values espoused by the University community, neither is tolerated. Anyone found to be in violation of this policy will minimally be required to make restitution up to the full cost of replacement or repair of property stolen or vandalized, including any associated costs of investigation or remediation. Other appropriate sanctions can be imposed by the Director of Residence Life, Director of Community Standards, the Associate Vice President of Student Affairs & Dean of Students, or designees. Criminal charges may be filed with local law enforcement in addition to University disciplinary action. Note: Students are responsible for their own belongings and for taking reasonable precautions to safeguard them. The University assumes no responsibility for personal property that is lost, stolen, or damaged.

### **Unmanned Aircraft Systems**

The operation of unmanned aircraft systems including drones and model aircraft is regulated by the Federal Aviation Administration (FAA) and relevant state law. Alvernia University will establish procedures required to ensure compliance with those legal obligations and to reduce risks to safety, security, and privacy. At this time, the use of drones is not permitted on University property. This is due to both Federal Aviation Association requirements and risk management/liability issues. Unauthorized drone operation may result in disciplinary action.

#### **Definitions**

- **Unmanned Aircraft Systems (UAS)** – UAS are also known as or may be characterized as Drones. According to the FAA, a UAS is an unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate the unmanned aircraft. UAS may have a variety of names including quadcopter, quadrotor, etc. FAA regulation applies to UAS regardless of size or weight.
- **Alvernia University Property** – Buildings, grounds, and land that are owned by Alvernia University or controlled by Alvernia University via leases or other formal contractual arrangements to house ongoing Alvernia University operations.
- **COA** – Certificate of Authorization or Waiver. According to the FAA, the COA is an authorization issued by the Air Traffic Organization to a public operator for a specific UA activity.

### **Use of Violence Policy**

No student shall engage in any form of violence directed toward another person or group of people. In addition, responding to violence with violence is a policy violation. Students may be subject to immediate interim suspension until the incident is investigated and adjudicated.

When these acts occur in the context of intimate partner violence or when the behavior is perpetrated on the basis of sex, sexual orientation or gender, the conduct will be resolved under the Sexual Misconduct Policy.

### **Visitors**

Visitors to the Alvernia University campus are expected to follow all policies established by the University.

### **Weapons and Explosives Policy**

Possession, use, storage or discharge of firearms, fireworks, destructive devices, explosives and combustibles and weapons are prohibited on University property, including University vehicles, personal cars, or when traveling on University business. Weapons include, but are not limited to firearms, guns, rifles, knives, nun-chucks, throwing stars, brass knuckles, mace, pepper spray, clubs, chemicals such as acids, sling shots, airsoft guns, and paint ball guns. In addition, nerf guns, water bead guns, pellet guns and similar items are prohibited on campus. A license to carry the weapon does not supersede the University policy. If an individual has any questions concerning what constitutes a weapon under this policy, they should contact the Office of Public Safety and obtain prior written permission to be in possession of the item in violation of this policy. Violations of this policy may result in immediate disciplinary action, including dismissal, and criminal prosecution under Pennsylvania law.

## STUDENT LIFE

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### Activities Calendar

Activities and events are promoted across several platforms throughout campus. Students can stay informed about programs, events, and opportunities by checking the events wall calendar, which is distributed each semester by the Office of Student Activities. Students are also encouraged to use the Promoting Alvernia eXperiences (PAX) student engagement portal and its companion app, Corq. This platform provides up-to-date information on club meetings, campus traditions, recreational events, and more. Campus events are additionally advertised on the University website, via digital signage and flyers around campus, and through weekly email updates. These resources help you plan ahead, get involved, and make the most of your student experience. Participation in campus activities is a great way to build community, develop leadership skills, and enhance your college journey. Be sure to check the calendar regularly for the latest updates.

### Campus Ministry

The Campus Ministry suite is located in the Bornemann Building. As a Catholic, Franciscan University, Alvernia seeks to maintain the Catholic character and purpose of the institution envisioned by the founding congregation, the Bernardine Franciscan Sisters. The University welcomes people of all faith traditions and invites all to participate in the spiritual, community service, and social justice programs that highlight our mission.

Campus Ministry seeks to stimulate growth in faith, formation of Christian conscience, leadership and personal development, formation of human community, and an understanding of issues of peace and justice. Activities include opportunities for prayer and worship through Sunday and weekday liturgies, opportunities for reflection and discussion through retreats and other programs, and a variety of community service opportunities. Opportunities for ecumenical prayer and faith sharing are offered on campus to meet the needs of all students.

### Community Standards

Please see the Student Code of Citizenship chapter in this Handbook.

### Counseling Services

Counseling Services are offered in the Medical and Counseling Center. Counseling Services offers free short-term personal and psychological counseling for individuals and groups. Referrals are also made through this office to outside providers. In addition, Counseling Services partners with the university in developing and providing educational programming opportunities for the University community, designed to meet the needs of the community in the areas of personal and psychological development and substance abuse issues. Students are encouraged to take advantage of these services by contacting the office in person or by phone. Counseling Services maintain strict confidentiality.

### Health Services

The Penn Medicine - Alvernia University Medical and Counseling Center promotes and maintains those conditions that encourage each student to realize optimum physical, emotional, social, and spiritual wellness. The Center is located at 421 Adams Street.

In accordance with regulations contained within the **Family Education Rights and Privacy Act (FERPA)** and the **Health Insurance Portability and Accountability Act (HIPAA)**, Penn Medicine - Alvernia University Medical and

Counseling Center will maintain all student medical information in accordance with those laws. Information from a student's medical record will only be disclosed to designated parties with the written consent of the student, except in certain cases of threat of harm to self or others, in keeping with professional codes and/or relevant laws.

**Information shared with Teaching, Clinical or Internship sites becomes part of the student's Education Record under FERPA. This includes but is not limited to immunization records, physical exams, PPDs, and drug screens.**

Student Treatment Records and Counseling records are destroyed seven years from the date of graduation or withdrawal from the University.

The Medical and Counseling Center is open year round. Services include evaluation and treatment of minor illness or injury, wellness screenings, health education, and counseling services. Seasonal flu shots are offered each fall for a nominal fee and allergy shots can be administered with written instructions from the allergist. The Medical and Counseling Center stocks a small supply of over the counter and prescription medications that can be purchased for a small fee if prescribed by the center's health provider. The student is responsible for contacting professors and informing them of any illness. The Medical and Counseling Center does not provide excuses. Additional information on services may be obtained from the Medical and Counseling Center.

Medical emergencies are generally referred to either the Reading Hospital – Tower Health or Penn State Health - St Joseph Medical. After-hours or weekend emergencies on campus are referred to Public Safety. Urgent concerns after hours may be addressed through Penn OnDemand. See the Medical and Counseling Center website for details. Any ambulance expenses, as well as the costs of transportation to off campus offices, are the responsibility of the student.

The Medical and Counseling Center recognizes that emotional health is an essential element in achieving one's goals here at Alvernia and beyond. Counseling services offers short-term individual counseling free of charge with a licensed counselor. **Counseling records are confidential and maintained in the Penn Medicine electronic medical record. Information contained in these records may only be released with written consent of the student, except in certain cases of threat of harm to self or others, in keeping with professional codes and/or relevant laws.**

#### **Holleran Center for Community & Global Engagement**

Rooted in the Catholic Franciscan identity of Alvernia University and its mission as a teaching and learning institution, the Holleran Center for Community and Global Engagement identifies, cultivates and sustains strategic partnerships to strengthen both campus and community life. By making these community partnerships an essential part of the curriculum, the Holleran Center strives to foster the University mission and improve the quality of life in our community and to develop in its students a lifelong commitment to service as engaged citizens with ethical and moral courage.

#### **Community Service**

Alvernia University requires community service to be completed by all undergraduate students before graduation. For the community service requirements, see the Graduation Requirements in the Programs and Courses of Study section of this catalog or contact the Registrar. For service opportunities, please contact the Holleran Center for Community and Global Engagement or visit Alvernia's online volunteer platform, Get Connected, via the Alvernia logins page.

### **Office of Justice Equity and Inclusion (JEI)**

Rooted in Alvernia University's mission and driven by Franciscan values, the Office of Justice, Equity, and Inclusion (JEI) fosters a welcoming and inclusive campus environment where every individual is valued and respected. Grounded in the ideal of "knowledge joined with love," JEI affirms the dignity of all people by promote understanding, unity, and a deep appreciation of the rich diversity within our community.

JEI works collaboratively with offices across campus to support programs, initiatives, and opportunities for personal and professional development that cultivate a sense of belonging and empower students to thrive academically, socially, and ethically. With a focus on education, engagement, and advocacy, we strive to build a caring and courageous learning community that reflects Alvernia's commitment to academic excellence, reflective leadership, and engaged citizenship.

### **Residence Life**

Alvernia University's Residence Life program provides an environment that supports the Mission of the University. More than residence halls, the residence life environment strives to support the Bernardine Franciscan heritage and serves as one of many vehicles to cultivate academic and social achievement. For specific information regarding residence life policies and procedures, please refer to the Residence Life & Housing section of this handbook.

### **Sexual Assault Counseling and Education**

The Medical and Counseling Center provides personal and health counseling services on a regular and as-needed basis. Another complementary resource separate from the University is Safe Berks (610-372-9540), a private non-profit, domestic and sexual violence center. Their belief is that all people are entitled to a life free from physical, sexual, and emotional violence. Services provided include notification of police and the criminal justice system, and encouragement to seek medical treatment as well as ongoing psychological counseling on an individual or support group basis. Referrals are coordinated with appropriate agencies if additional assistance or support is necessary.

The University also provides educational programs designed to prevent sexual violence. The purpose of these programs is to promote an awareness of what the law is, what to do if victimized by sexual violence, and how not to become a victim or a perpetrator of sexual violence.

### **S.O.L.A.R**

Alvernia University's S.O.L.A.R. (Support, Opportunity, Love, Access, and Resources) defines a campus culture of care designed to organize services and opportunities that ensure that ALL students have the resources that they need to succeed during their academic journey and beyond. The Office of Social Services will promote the culture of care through the implementation of case management by connecting students to community-based services and campus supports, helping oversee the distribution of Hope Fund resources per [solar@alvernia.edu](mailto:solar@alvernia.edu) email, maintaining the Alvernia Career Closet, and maintaining the Community resource page. The Director of Social Services leads the work of the Office of Social Services.

### **Student Activities, Student Clubs and Organizations**

The Student Activities Office, located in Campus Commons, works closely with individual students, student government and other student clubs and organizations to support an active campus life. The Student Activities staff coordinates leadership programs and assists student clubs and organizations in formulating, planning,

scheduling, and publicizing activities for the maximum benefit of the University community. The Student Activities staff collaborates with student leaders to develop and implement a comprehensive plan including, but not limited to, alcohol alternatives, late-night, diversity/multicultural, weeknight, and weekend events and trips. The staff also supports the student government association and all student clubs and organizations. A master calendar of student events is maintained and published by the office. Please see the chapter “Involvement Opportunities” for additional information.

### **Veterans Center**

At Alvernia University, we honor and support those who have served our country. The Veterans Center, located in Room 106 of Bernardine Hall, offers a welcoming space for veteran students to bond, study, and share experiences. Equipped with computers, a phone charging station, a dedicated printer, and a TV lounge area, the center is designed to meet the unique needs of our military-affiliated students.

We invite the entire Alvernia Campus Community to enjoy and make use of the Veterans Center, which strives to raise awareness of what is endured and accomplished by those who serve our country. The Center aims to provide anyone with ties to or an interest in the military with the resources, support and advocacy necessary to succeed in higher education and industry.

Our Veteran’s Advocates are ready to assist veterans and veteran affiliates in making connections and making use of all possible Alvernia and external support resources.

## RESIDENCE LIFE AND HOUSING

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On-campus housing is required and guaranteed for all students with first year academic status. Beginning with the 2024-2025 school year, all students are required to live on campus, except those noted below, unless a petition for off-campus living is approved by the Associate Vice President of Student Affairs & Dean of Students, or designee. Exceptions, as noted on the off-campus housing waiver form, are:

- Commuter students residing with parent(s) or legal guardian
- Caregiver for young or elderly
- Age 21 or older
- Completed 90 or more academic credits
- Married
- Special needs with a medical disability that cannot be accommodated by Alvernia University residential living.

Alvernia University does not provide housing accommodations for married couples or families and does not allow infants and children to reside on campus.

\*Full-time first-year students must be registered for a minimum of 12 face-to-face credits. All other full-time students must be registered for at least 9 face-to-face credits. (Some exceptions apply—please contact [ResLife@alvernia.edu](mailto:ResLife@alvernia.edu) for details.)

During the course of the academic year, students must actively attend classes to remain a resident student in the residence halls. If a student fails to attend classes on a regular basis, the student may be asked to leave the residence halls. Exceptions may be made at the discretion of the Associate Vice President of Student Affairs & Dean of Students or designee.

Alvernia University's current student residences are designed to complement the pursuit of full-time undergraduate studies, with respect to their design as multiple resident units, their supervision by undergraduate resident assistants reporting to professional staff members, and their emphasis on educational programming and leadership development to complement students' curricular pursuits. For those reasons, students who are under the age of 17 or over the age of 30 normally are not eligible for University housing. Petitions for exceptions to this policy will be considered on an individual basis by the Associate Vice President of Student Affairs & Dean of Students, or designee, whose decisions with respect to such petitions will be final. If the University develops residential facilities for graduate students, this policy may be amended accordingly.

### Living On Campus

Alvernia University's housing philosophy promotes moral development and civic responsibility, welcomes diversity, and respects the dignity of the human person at all times. The vision for the residence program has four points:

1. The residential experience is a center of excellence and a point of distinction for Alvernia. Students and their parents should find the Alvernia University campus safe, supportive, and nurturing.
2. The residential experience intentionally emphasizes and promotes moral development.
3. All faculty and staff join in the effort to provide a place and develop an atmosphere in which students can achieve their potential academically, socially, morally, and spiritually.

4. The University provides all students opportunities to practice their faith and connect with each other and members of the clergy from their denominations, both formally and informally. While Catholic rites and ceremonies remain the principal focus of worship, ecumenical services are also conducted, and access to other religious services made possible.

### **Resident Bill of Rights**

- Sleep undisturbed during the night.
- Enjoy a clean room.
- Access their room and facilities at all times.
- Have belongings respected.
- Feel secure against physical or emotional harm.
- Maintain privacy.
- Redress grievances.
- Be free of intimidation or harassment.
- Study in their room free of noise and distractions during quiet hours.
- Have guests in their room during visitation hours when she or he will not disturb roommate's right to study or sleep.

If a resident feels that a right has been violated, they are expected to first attempt to reach a mutually agreeable solution with the roommate. If this is not successful, the student should contact a member of the Residence Life staff.

### **Residence Life**

The Executive Director of Residence Life has overall supervisory responsibility for campus residences and works closely with the Director of Public Safety and the staff within the Facilities Office to assure safety. Full-time professional staff members, include Area Coordinators and Graduate Hall Directors, work with the Executive Director of Residence Life to develop and implement residence life policies, procedures and programming objectives. The Office of Residence Life is located in Campus Commons and can be reached at 610-796-8320.

Resident Assistants (RAs) assist in the management and implementation of day-to-day operations of the office as well as assisting students in taking advantage of all opportunities campus life offers. Your RA can be one of the most helpful and resourceful individual you will interact with. These individuals are full-time, academically successful students who have been carefully selected because of their leadership potential, interpersonal skills, positive attitudes and sense of commitment to promoting a living/learning environment. RAs complete extensive and ongoing training to fulfill their many roles.

As peers, the RAs not only provide general information, referral help and models of successful adjustment to University living, but they assist with roommate or suitemate conflicts and planning educational, cultural and social programs.

Resident students are informed of University policies and housing security and enforcement procedures in hall meetings throughout the year. In the first hall meeting, Residence Life staff, along with the RAs, explain policies and procedures in this handbook. Special emphasis is placed on residence hall safety and the vital role each student has in helping to maintain a secure environment. Hall meetings are held as warranted to remind residents of safety procedures, policies and to enhance the communal environment.

In the spirit of collegiality and shared responsibility, resident students are expected to accept the responsibility of group living and to act in accord with University policies and procedures. Students are expected to take an active, positive role in residence life governance through the Residence Hall Association.

### Services for Residents

- Common Areas. Each residence hall and townhouse offers common area space such as lounges for social and/or recreational purposes. Common area space is also inclusive of hallways and stairwells. All residents share responsibility with others in their hall or townhouse for the care and protection of common areas. Furniture may not be removed from common areas. Group damage assessments are made for damages to common areas if a responsible party cannot be identified.
- Food Service. All resident students are required to participate in the University's food service program. All first year undergraduate residents must participate in either the full 19-meal plan or the alternate 14 meal plan during both semesters of their first year. Upper-class residents have several meal plan options. For more information regarding meal plan changes/dates, please contact the Billing Office.
- Information Desk. The Resident Assistant information desk is located in the Campus Commons on the 1st Floor (Suite 104). The desk is staffed according to the hours posted at the desk. The general hours of operation are as follows:

Monday through Friday: 9:00 a.m. through 12:00 midnight

Saturday-Sunday: 8:00 p.m. through 1:00 a.m.

- Data ports. Each student has access to an individual data port for their use.
- Wireless Internet. Wireless Internet is available throughout the residence halls. Private routers are prohibited.
- Laundry Facilities. Washers and dryers are located in each residence hall as well as in each townhouse. Residents are responsible for removing their property from the laundry area in a timely manner. Machine trouble should be reported to the Residence Life Office.
- Mail Service. All resident students receive mail through the university mailroom. Certified mail, registered mail, parcel post, and packages may be claimed at the student mailroom, located on the 2<sup>nd</sup> floor of the Library. Mail service operates Monday through Friday.
  - Post Center residents mail/packages will be delivered to the lockers at 401 Penn Street, and they will receive email notification they have a package available.
- Maintenance Requests/Work Orders. Maintenance Requests/Work Orders. All maintenance requests/work orders should be submitted electronically to the Facilities Department via the online work order system. Anyone submitting a request will be able to track the progress of their work order on line. Any emergency facilities concerns (overflowing toilet, sink, no heat, no power) should be reported to ext.: "8243"
- Recycling. As part of the University's green initiative all residence hall rooms are equipped with a recycling container. Students are required to deposit their recyclables in designated bins located near the trash bins, behind their respective buildings. There is no recyclables removal from the residential facilities. Recyclables include: aluminum cans, glass containers, iron cans, #1 and #2 plastic containers, newspapers, cardboard, paperboard (cereal boxes), magazines, and office paper.
- Room Furnishings. Each resident is provided with a single bed, dresser drawers, desk, wardrobe or closet, and chair. Furnishings may not be removed from a room without the permission of the Residence Life Office. Pillows, linens, blankets, lamps, etc. must be provided by the resident. For more information on what to bring and what not to bring please see  
(<http://www.alvernia.edu/residencelife/whattobring.htm>)

- Trash. Students are required to deposit their trash in the designated dumpsters located near their respective residential building. There is no trash removal from within the residential facilities. Failure to comply with established trash removal procedures may be subject to community standards violations.

## **Safety & Security**

Room doors, exterior, hallway and stairwell doors serve not only as a security feature, but they also help to prevent fire from spreading. Students are expected to ensure their own safety and protect the safety of others:

- Do not exit, enter or prop open locked residence hall doors. If you see a door propped open, close it.
- Keep your own room door locked at all times.
- Student identification cards are to be carried at all times. Student ID cards are not transferable. Lost cards should be reported to Public Safety immediately.

Alvernia values the safety of its students and recognizes the importance of prompt emergency response. When necessary, the University will contact the appropriate emergency/medical services. The student is responsible for all costs incurred.

## **Residence Life Housing Procedures**

### Holiday & Break Housing

During holidays and breaks in the academic semester, the residence halls either close or operate with limited staffing as outlined below. Contact the Office of Residence Life for the supplementary per diem rate during holiday or break periods. Residence halls close their full operation at 6 p.m. the day classes or examination end. Students may make special arrangements for later departures through the Office of Residence Life. The Residence Life Office may make exceptions to this policy for special circumstances.

- *Thanksgiving, Spring and Easter break—residence halls close at 6 pm on the day preceding the holiday/break.*
- *Christmas break—residence halls at 6 pm on the last day of finals. Residence halls remain closed between Christmas and January 1<sup>st</sup> and occupancy of residences is not permitted during that time. Students are expected to depart from the residence halls 24 hours after their last final or by closing time, whichever comes first. Students may request a later departure through the Office of Residence Life.*

### Summer & Winter Housing

Housing during the summer and winter academic sessions is also available. Students must be enrolled for Alvernia University summer classes and/or participating in an academically related internship or work on campus. Contact the Office of Residence Life for the supplementary per diem rate for summer/winter housing. The Assistant Director of Housing must clear any exceptions to this policy.

### Incoming Residential Students:

Housing deposits (\$300) are required for all first-year students to secure a student's spot in our residential facilities. This housing deposit will be applied to the student's first semester charges. If a student chooses to cancel their enrollment prior to May 1, the housing deposit will be refunded to the student. If a student chooses to cancel their enrollment after May 1, the housing deposit is forfeited.

### Commuter Students:

A housing deposit will be required of any non-residential students (commuter/off-campus) who wish to apply for housing at any point. Commuter/off-campus students who desire on-campus housing must first pay a \$300 housing deposit in the MyAlvernia portal in order to complete a housing application in the Alvernia Residential Communities Portal. A commuter/off-campus student will be assigned housing only after room selection for current resident students is complete and pending space availability. In the event there is a lack of room availability, housing deposits will be refunded. If a student requests placement on a housing waiting list, the deposit will not be refunded or applied to current debt until removal from the housing waiting list is requested. After a commuter/off-campus student is assigned housing, if a student chooses to cancel their housing request prior to May 1, the housing deposit will be refunded to the student. If a student chooses to cancel their enrollment after May 1, the housing deposit is forfeited. If the commuter/off-campus student is offered housing, the deposit will be applied to the students first semester charges.

Students moving out of a university residence during the semester for any reason (including, but not limited to academic dismissals, withdrawals, community standards violations, releases from housing contract) are not entitled to a refund of room charges. Students should follow the room checkout procedure in the Student Handbook.

#### Termination of Housing

By signing the housing contract, resident students agree to maintain occupancy in campus housing for a full academic year unless authorization is granted to withdraw from University housing. To request a termination of the signed housing contract, a written request to the Executive Director of Residence Life is required. Any student who is granted a release from their housing contract must check out of their campus residence in the appropriate manner or improper check-out charges will be billed to their student account. Any student who is not approved to be released from the housing contract by Alvernia University is responsible for continual assessment of housing and board fees on his/her student account.

#### Room Assignments & Selection

As a part of the total University experience, residence hall life is developed to foster and support a student's personal, social, spiritual, and academic development. Continuing students in good academic and disciplinary standing at the time of returning student housing assignment process have the opportunity to live in University residence halls or townhouses. The housing assignment process begins in the early spring semester to determine housing preferences.

#### Room Reassignments & Meal Plan Adjustments

All students living in residence halls are required to have a meal plan. First-year students must enroll in either the 19-Meal Plan or the 14-Meal Plan, while returning students may choose from additional options based on their assigned residential area. Full details are available on the Alvernia University website.

If a student relocates—whether voluntarily or due to conduct-related reassignment—they must adjust their meal plan to meet or exceed the minimum requirement of their new residence hall. After the add/drop period, students may not downgrade to a cheaper plan, even if their move would otherwise allow it. Meal plan changes can only go up in value to align with the new building's standards.

The following priority system is established to guide housing assignments:

- All housing is based on availability of spaces.
- Payment of a housing deposit constitutes the student's intention to seek housing on campus and is not a guarantee that space will be available.

- Alvernia University recognizes the critical role that a supportive living environment plays in the overall success and well-being of its students. To enhance the academic and personal growth of our students, the University adheres to a four-year housing agreement for eligible students. University owned residence hall housing is guaranteed to first year undergraduate students who participate in established housing processes, assuring that deadlines are met. University owned residence halls for all remaining eligible students are based on availability of spaces. Returning students may seek an exemption from the four-year housing requirement by submitting the *Petition to Commute* Form to the Office of Residence Life
- Returning resident students are housed via a lottery system in the spring semester. There is a priority system used in the room selection process. Complete details are included in the housing selection guidelines sent to resident students each February. Details can be found on the AU Logins page in mid-February.
- Current commuter students are housed after the returning student lottery process and before the incoming new student process. Details can be found on the AU Logins page in mid-March.
- Alvernia University assigns rooms without regard to race, color, religion, or national origin.

#### Medical Single Room Requests

Requests for singles due to medical or physical disability needs are considered and approved through Accessibility Services. Approved spaces are provided pending space availability. Requests for medical singles must be accompanied by a written letter from the physician clearly stating the diagnosis and barriers to access. The student should refer to the Office of Accessibility Services to complete an application for housing accommodations and submit required documentation. Students do not pay single room charges if they are granted a single room for medical reasons.

#### Room Check-In Procedure

When students take occupancy of a room, they must complete a room condition report (RCR). The RCR is an electronic document, housed in the ARC portal, that represents the condition of the room and furniture and appliance and bathrooms at the time the student checks in. The student and their roommate(s)/suitemate(s) are expected to maintain the room and all furnishings in a careful and proper manner. As stated in the housing contract, residents will be held financially responsible for any damages, unreasonable wear and tear, and/or excessive housekeeping that may result from their occupancy.

Students will have 5 business days from the date they check in to complete the RCR. If after five business days, the student does not submit this form, they waive their right to disagree with the current assessment.

Per Alvernia Student Housing Contract, *“The student understands that they are held liable for damaging or defacing University property. The University will assess charges against the individual student account. Damages in areas other than individual rooms will be charged on a prorated basis to all students of a townhouse, floor, wing, or entire residence hall as determined by the University, unless a responsible individual or individuals can be identified.”*

Residents will meet with their RA on move-in day and receive instruction about the Room Condition Report, which will allow the resident to identify any concerns in advance. This process helps us know what, if any, damage has been observed prior to move-in.

Please see the chart on our [FAQ's page](#) for specific damage costs for our most common damages. Please note that there are other charges not listed here that we may need to assess if warranted. We do not wish for any students to be charged with damages as much as they do not want to be, so it is imperative that they show care and respect for their spaces. Thank you for your cooperation in this endeavor.

The RCR is kept on file in the Office of Residence Life. The student, and his/her roommate, is expected to maintain the room and all furnishings in a careful and proper manner. As stated in the housing contract, residents will be held financially responsible for any damages, unreasonable wear and tear, and/or excessive housekeeping that may result from their occupancy.

#### Room Check-Out Procedure

All students must vacate their rooms or townhouses by 12:00 p.m. (noon) on the day following the last day of final exams or, if finishing final examinations early, within twenty-four (24) hours of their last examination.

Checkout arrangements are the resident's responsibility. Checkout deadlines are strictly enforced as specified in the housing contract. Failure to follow specified checkout procedures will result in a fifty dollar (\$50.00) administrative charge levied through the Billing Office. All students must observe the following checkout procedures:

- The room must be cleaned and cleared of all belongings. Students should take all trash to the dumpster areas and are asked not to clutter hallways. Assessments will be conducted regarding any trash and personal belongings left in rooms and halls.
- All furniture that was provided at the beginning of the year must be assembled in the room upon leaving. The student must remove all excess furniture brought into the room or townhouse.
- All resident students must check out through their Resident Assistant or through the Express Check out process. Residents wishing to check out with their RA must schedule a time to check-out with. RAs will post available times prior to exam week.
  - Residents wishing to utilize the Express Check out process may pick up the Express Check out paperwork at the Office of Residence Life, RA Desk or from their RA. Residents choosing to check out using the Express Check out process waive their right to contest any damages found upon final inspection.
  - Residents wishing to check out with their RA will conduct an inspection of their room with that RA and return all keys. The RA will inform residents of potential damage billing but at no time does the RA make final billing decisions. Residents will be held financially responsible for damages found by the Office of Residence Life upon their final inspection. Charges for damages and excessive cleaning will be billed to the student.
- Students must lock their room doors and return their room key to the Office of Residence Life. As stated on the RCR signed at beginning of the year, failure to return keys or report lost keys indicates a failure to follow checkout procedures. Such actions will result in application of a \$50 administrative charge as well as re-core and replacement key charges.
- No personal property is to be stored anywhere on campus during the summer. The University is not responsible for personal belongings left on campus after the end of the academic year or after the check-out date. Any personal items left on campus after this date will be confiscated and given to a local charity or deposited in the trash.

#### Occupancy of Residences

Residences open for the fall semester at 9:00 a.m. on the Friday preceding the first day of class for new students and at 12:00 p.m. on the Sunday preceding the first day of class for continuing students. Residents must follow check-in procedures listed above. Occupancy of residences during breaks is only permitted upon approval.

Please refer to the holiday, break, summer or winter housing portion outlined previously.

Students approved for early arrival occupancy need to make separate arrangements for food service. Residences are closed or function with limited staffing during Thanksgiving, Christmas, spring, and Easter breaks at 6:00 p.m. the day classes or examinations end. Students who finish final examinations early are required to vacate the residences no later than 24 hours after their last examination. Residences reopen at 12:00 p.m. on the day before classes resume.

### **Residence Halls**

To learn more about our on campus living accommodations, please visit [Residence Halls | Alvernia University.](#)

### **Residence Hall Policy Information**

#### **Introduction**

Living on campus differs fundamentally from living in a personal apartment. Students in residence halls form a type of union whose goal is a common one: their integral education. Because each member shares this common goal, a spirit of cooperation and concern calls for reasonable regulations. Residents are expected to be active participants in developing and upholding the standards of the residential community. The Director of Community Standards is responsible for ensuring that the University's community standards system is applied fairly to all students.

Alvernia University is not responsible for personal belongings of residents. Residents are expected to lock their rooms and arrange for coverage of valuable personal effects under their own or their parents' personal property insurance or under a separate renter's policy.

The University reserves the right for authorized representatives or University officials to enter student residences and/or to conduct searches, whether a student is present or not. The following is a list of some of the reasons entry and room searches occur:

- Rooms and/or townhouses may be entered for regular or emergency housekeeping and maintenance purposes, for the establishment and maintenance of good order. Rooms may be routinely inspected at any reasonable time (ordinarily 7:00 a.m.–9:00 p.m.) for fire hazards, testing of fire safety equipment, maintenance, health and sanitation. Rooms will also be entered for pest control on a scheduled basis.
- Rooms and/or townhouses may be inspected on a semesterly basis by Residence Life staff members for routine Health and Safety inspections. These inspections will be completed with or without students present. Inspections include but are not limited to fire safety violations, excessive mess, or community standards violations.
- Rooms and/or townhouses may be entered when there is information that University policies are being violated. In cases where there is information that alcohol is being consumed and/or present in a residence hall room or townhouse, Residence Life staff and/or other University officials may request that the resident(s) open any refrigerator present in the room or house in order to confirm that there is no alcohol. If the student refuses, the staff member may then open the refrigerator. Failure to comply with this request violates University policy, and the University will expect that the item in question will be removed from campus.
- Rooms and/or townhouses may be entered for inspection at any time. Prohibited items and/or evidence are subject to documentation and confiscation. This may include, but is not limited to, weapons, alcohol bottles/cans, shot glasses, ashtrays, candles, pet food dishes, etc. These items will not be returned to students. Items are donated to a local charity or deposited in the trash.

- Rooms and/or townhouses may be entered when there is reason to believe there is a danger to the health, safety or welfare of the individuals.
- In cases where there is information or other reason to believe that an individual is bringing/carrying prohibited items into a residence hall or townhouse, Residence Life staff and/or Public Safety personnel may ask an individual to open grocery bags, book bags, boxes, covered laundry baskets, etc.

A search and inspection involves the close physical examination of all areas, which may include, but is not limited to thoroughly going through an individual's personal belongings. A student wishing to file a complaint relating to an inspection or search should do so in writing to the Associate Vice President of Student Affairs & Dean of Students or the Director of Public Safety. Except in emergencies, a member of the Residence Life staff will accompany any University representative or official during searches of residences.

All items which are forbidden, illegal, or inappropriate by law, rule or policy, can be confiscated by RA's, the University's Public Safety Officers, or anyone else representing the administration. The confiscated items will not be returned. Items are donated to a local charity or deposited in the trash.

In addition to the policies outlined in Campus Policies, students who reside in Residence Halls are responsible for the following:

#### **Emotional Support Animals (ESA)/Service Animals**

Requests for an Emotional Support Animal (ESA)/Service dog are reviewed by the Office of Accessibility Services. Please review the policy and procedures for applying here: [PDF Emotional Support Animal \(ESA\) Policy 2025](#)

#### **Damage Policies**

Students are expected to use care in the use of University facilities and furnishings.

- When damage occurs in the residence hall or townhouses, repair and/or replacement costs are billed to the student(s) responsible.
- Students found to have created damage in residential facilities subject themselves to the loss of on-campus housing privileges and other community standards actions.
- All residents share responsibility with others in their floor, hall or townhouse for the care and protection of common areas (entryways, emergency exits, lounges/lobbies, hallways, stairwells, screens, bulletin boards, restrooms, etc.). This includes, but is not limited to, the removal of common area furniture. Group damage assessments are made for damages to common areas if a responsible party cannot be identified.

#### **Electrical Appliances**

Students are permitted electrical appliances in accordance with the following guidelines:

- All electrical appliances must have the Underwriters Laboratories Seal of Approval and be plugged directly into a wall outlet.
- String lights/rope lights are permitted in residence hall rooms under the following conditions: manufacturers recommendations must be followed, lights cannot be hung around doors or from fire safety equipment and they may not obstruct exits.
- Only UL approved extension cords may be used. Multiple outlet extension cords must have surge protectors, and must be plugged directly into a wall outlet. Any electrical cords placed on the floor must be taped down, to prevent any tripping hazards.
- Only one microwave oven is permitted per room in the residence halls. Power requirements may not exceed 120 volts/10 amps.
- Due to electrical supply, only university provided microwaves are permitted in living units with kitchens. Microwaves are not permitted in bedrooms in these areas.

- Only one refrigerator is permitted per bedroom in the all residence halls. Size may not exceed 3.6 cubic feet and power requirements may not exceed 120 volts/10 amps.
- Toasters, toaster ovens, hot plates, slow cooker and indoor or induction grills are only permitted in living units with kitchen areas. When using these appliances, students must be physically present and monitor cooking activities.
- Only coffee makers with auto shut off devices are permitted in all residence hall rooms.
- The following items are not permitted in or near any area of the residence halls:
  - Deep fryers
  - Outdoor turkey fryers
  - Coal or gas grills
  - Sunlamps
  - Personal Ice Makers
  - Nerf, water bead, airsoft guns, etc
  - Lava lamps
  - Halogen lamps
  - Multi-octopus lamps
  - Space heaters
  - Exterior antennas, aerials, or satellite dishes
  - Indoor/induction grills/griddles
- Unauthorized or dangerous appliances will be confiscated.

## **Fire Safety**

All resident students must abide by the University fire safety policy.

- All candles (burnt or unburnt), incense, incense burners, and any other open flame or open coil materials are prohibited in the residence halls.
- Live Christmas trees are not permitted in residence halls.
- All residents are expected to familiarize themselves with the emergency evacuation plans for their buildings. At the sound of a fire alarm, residents are required to evacuate immediately and in an orderly manner. Failure to evacuate during a fire alarm may result in disciplinary action under the Community Standards process. Fire drills are conducted and coordinated by the Public Safety Office periodically during the school year.
- Personal items and/or room furniture may not block or inhibit egress from a room, hallway, or building.
- Absolutely no hazardous materials, ammunition, and/or explosives may be stored in students' rooms.

## **Health and Safety Inspection Policy and Process**

The Office of Residence Life (ORL) at Alvernia University prioritizes residential student safety. Once a semester, Resident Assistants schedule a Health and Safety Inspection with all residential students living on campus. The purpose of these inspections is to ensure that all fire safety, Community Standards policies, electrical safety, and the overall living environment is conducive for students' growth, learning, and development. The ORL conducts these Health and Safety Inspections at least once a Fall/Spring semester.

### **Overview**

The ORL conducts these Health and Safety Inspections once a semester, roughly one-third into the Fall and Spring semesters.

### **Implementation**

Resident Assistants (RAs) are responsible for conducting Health and Safety Inspections. They will conduct these inspections in groups of 2 within their residential communities. The residential student does not need to be present for the inspection to occur.

### **Process**

Health and Safety Inspections are conducted in a pass/fail modality. RAs are provided with a rubric, as follows, to assess the residential space for any violations/concerning living environment conditions. At any point within the Health and Safety Inspection process, any immediate Community Standards violation (alcohol, drug, candle,

weapons, etc.) will be reported to the Office of Community Standards/Public Safety and processed accordingly. Each RA will submit a Health and Safety Inspection form via the Alvernia Residential Communities Portal (ARC) once they have completed each inspection (pass/fail).

#### First Inspection

- 2 RAs will inspect each residential space for any fire safety violations, Community Standards policy violations, electrical safety violations, and the condition of the overall living environment.

#### Second Inspection

- If a room has been assessed as failing any portion of the first inspection, the residence hall room is subject to a second inspection, which will occur the following week (to be set up via the RA with the student).

#### Final Inspection

- If the same room has been assessed as failing any portion of the inspection two consecutive weeks, a member of the ORL Professional Staff Team (Area Coordinator, Graduate Hall Director, Director of Residence Life, etc.) will reach out to the student(s) to schedule a third inspection, happening one week after the second inspection.
- During this inspection, the student may be subject to the Community Standards process for failure to comply which may result in loss of campus housing.

### Inspection List

#### General Inspection

- Cleanliness, Health and Hygiene
- Dirty ceiling
- Dirty floor
- Dirty wall(s)
- Food spills or debris
- Open food or food container
- Dirty dishes
- Excessive trash
- Empty food container
- Furniture and/or room damages
- Other

#### Fire Alarm / Fire Safety

- Removed, disabled, or covered smoke detector
- Covered or items attached/hanging from sprinkler
- Disabled or removed door closer
- Objects blocking fire alarm or sprinkler
- Objects blocking the heater
- Halogen lamp
- Other

#### Electrical Safety

- Power strips plugged into each other or unsafe modifications to electrical outlets
- Octopus power devices
- Other

#### Community Standards Policies

- Prohibited appliances (hot plate, coffee pot without automatic shut off switch, more than one microwave/fridge per room, grills, deep fryers, personal ice makers, kitchen appliances in the First-Year Area, etc.)
- Non-approved room furniture (waterbeds, weight benches or large exercise equipment, etc.)

- Candles/incense/flammables
- Drugs/paraphernalia (per the Drug Policy)
- Alcohol/paraphernalia (per the Alcohol Policy)
- Explosives or weapons (including airsoft, nerf guns, water bead guns and similar items)
- Evidence of smoking/vaping in room
- Unapproved Pets
- Theft/non-accidental damage
- Evidence of unauthorized entry or exit through the room window (window screen damage)

### **Keys**

Each resident is issued a room key at the time of move in. All keys must be returned to the Office of Residence Life when the student moves out from on-campus housing or changes rooms. Loss of or failure to return any key will result in lock change and associated cost charges.

- Students may not lend their keys and/or their ID card to others. The only individual authorized to use a residence hall key is the individual to whom the key was issued by the University.
- Students living in the residential facilities are responsible for their own entry into their locked building and room. Keys should be carried with the student at all times. Students who routinely become “locked-out” may be subject to fines or disciplinary action.
- Each resident is responsible for their key(s). Key(s) must not be duplicated or given to another individual. In the event a key(s) is lost, it must be immediately reported to the Office of Residence Life. The door to the lost key(s) will be re-cored and all students residing in that room will receive new keys. There is a \$250 fee charged to the individual who lost their key(s) for the replacement of new ones. All keys remain the property of Alvernia University. If key(s) are not returned at the end of the semester upon resident check out or when requested, the fee also applies.

### **Pet Policy**

Residents may have no pets other than approved Emotional Support Animal (ESA)/Service animals, as described by and in compliance with the conditions described above, or non-aggressive fish in aquariums that are no larger than 15 gallons. Students may be assessed a non-negotiable charge for the disinfecting of a room or residential area that a pet has occupied.

### **Quiet Hours**

Each residence hall community is obliged to maintain an environment conducive to sleep and study. Therefore, “courtesy hours” are considered in effect at all times. Noise should always be kept at a considerate level. In all cases, students are expected to respond cooperatively to staff and other students who make a request for quiet. Any electronic or other equipment that may be causing the noise disturbance may be confiscated. Quiet hours, established for all residents to assure an atmosphere conducive to study, are enforced inside and outside of residences. These are:

Sunday through Thursday: 10:00 p.m. to 9:00 a.m.  
Friday & Saturday: 1:00 a.m. to 9:00 a.m.

### **Room Change**

Although we try to accommodate student housing preferences, occasionally our residents will find themselves unhappy with their room assignment. While our goal in the Office of Residence Life is to provide our residents with developmental opportunities in all capacities, we understand that sometimes a room change is warranted.

Beginning of each semester:

At the start of each semester, there is a room freeze period when students are not permitted to change rooms. This is for many reasons, including allowing our RA team to identify students who have not checked in, to allow for late applicants to be housed, and other reasons.

After the room freeze period, students can begin to request a change. If a student is having a roommate conflict, we value conflict resolution as the first step to solving the conflicts. The RA will arrange mediation and the Graduate Hall Director or Area Coordinator may help in this process as well.

Once appropriate mediation has occurred (with the RA and the GHD/AC) and a resident still would like to request a room change, they may do so through the form on our [Housing Policies webpage](#).

#### Ending of the fall semester:

The Office of Residence Life recognizes that at the end of the fall semester some students may wish to change rooms for the spring. The Office of Residence Life is working to establish a process that allows for these requests to be made and facilitated so that there is limited disruption during the closing weeks of the semester. We will update this page when that process has been completed.

#### Room Consolidation

In accord with our Catholic, Franciscan mission, and to accommodate space for students, the University has developed a consolidation policy. Consolidation requires that a student living alone in a double, triple, or suite-style occupancy room to:

- Move to another room, accept a roommate assigned by the Residence Life Office, or find another roommate.
- Should a newcomer be assigned to a student's room and that newcomer is made to feel unwelcome through harassment, intimidation, or coercion into living somewhere else, the student responsible for such conduct will be referred for community standards action and subject to disciplinary sanctions up to and including suspension or dismissal from Alvernia University, in accordance with the Community Standards process and the student's right to notice and a hearing.
- Should a newcomer be assigned to a student's room the Office of Residence Life will make reasonable attempt to contact the current occupant of the room and inform them of the new roommate.
- All students living alone in a double, triple, or suite style occupancy are asked to maintain the vacant space and have it available for a potential roommate at all times.

#### Room Decoration

Room decorations can reflect individuality, personality, and character, however decorations inside a student's room are expected to be in good taste and within the values espoused by the University. The hallways of residence halls and townhouses are considered "public access"; therefore, limitations may be imposed if decorative items placed on exterior doors and windows are in poor taste, lewd, or offensive. Damage charges may be incurred by failure to adhere to these regulations. The following criteria apply to room decorations:

- No item may be hung from a light fixture or life/safety device (including smoke detectors, sprinklers, fire alarms, or emergency lighting).
- No item may be hung or attached to the ceiling of a residence hall, room, or common area.
- No decorative candles or potpourri burners.
- No metal tip darts or dart boards.
- Empty alcohol containers or paraphernalia (bottles, cans, boxes, shot glasses, etc.) may not be used for decoration. (See campus policy on Alcohol & Drugs)
- No stickers or glow-in the-dark stars may be affixed to the walls, ceilings or furnishings.
- Sheets, banners or other such objects may not be hung outside of windows or on the exterior portion of any residence hall or townhouse.

- Residents may not paint, wallpaper, panel rooms, drill holes, construct attached structures in rooms, or remove window screens. Violations may result in charges for repair and restoration to original condition, and may result in disciplinary action.
- Lofts are permitted only with supplies provided by the University. Students should contact the Office of Residence Life for information.

### **Room Modifications**

Alvernia University Department of Facilities prohibits any changes or modifications to the residence hall infrastructure. This includes but is not limited to restroom fixtures, appliances, kitchen fixtures, air conditioning & heating units, etc. Any request for changes to the infrastructure must be submitted in writing to [ResLife@alvernia.edu](mailto:ResLife@alvernia.edu) for joint review by the Office of Residence Life and Facilities Department. Students who make unauthorized modifications may be subject to disciplinary action and charged for restoration costs.

### **Sports and Recreation**

Sports activities within and immediately outside the residential facilities increase the possibility of personal injury and/or damage and create disturbances. No sports activities and/or horseplay are permitted near entrance ways and in or around parking lots. All recreational and/or athletic activities are to be confined to exterior areas that are designated for such use, or the Physical Education Center. Failure to abide by such policy will result in disciplinary actions and possible confiscation of the equipment being used. The University assumes no liability for injuries resulting from violations of this policy.

### **Visitation and Guest Policy**

The following visitation policies are designed to recognize both the students' rights to a secure, quiet environment and the desire of the University to encourage interaction among members of the University community.

#### **General**

- A guest is defined as anyone who does not live in that campus residence. This applies to both a particular room and residence hall.
- A student's right to have a guest is, in all cases, superseded by the roommates' and/or suitemates' right to the uninterrupted use of the room/suite. The privacy of the roommate and/or suitemate will take priority over a guest.
- Visitation hours in all campus residences are:  
Sunday through Thursday: 9:00 a.m. to 12:00 a.m. (midnight)  
Friday & Saturday: 9:00 a.m. to 3:00 a.m.
- All hosts are expected to have their guests leave residences in a timely fashion.
- Visitation hours apply to the private sleeping rooms of the townhouses, but the common areas of the townhouses have 24 hour visitation privileges. Twenty-four hour lounge visitation privileges do not exempt townhouse residents from registering overnight guests in accord with the policy below.
- Visitation hours apply to the private sleeping rooms of all residence halls. These areas are expected to be in compliance with quiet hours and all other residential policies. Twenty-four hour lounge visitation privileges do not exempt residents from registering overnight guests in accord with the policy below.
- Unregistered or unauthorized individuals found to be living in University residences will be issued a notice of trespass and required to leave campus immediately. The host may be subject to disciplinary action.
- Residents must escort their guests when in the residence hall at all times. An unescorted guest will be asked to leave the hall at once.
- Guests may enter residences only during visitation hours and at the expressed invitation of an occupant of the residence entered. All others will be treated as trespassers.

- Guests are expected to abide by all University regulations while visiting the campus. Guests who are Alvernia students may be held responsible for violations of the University policies. Hosts of non-Alvernia student guests will be held responsible for their guests' policy violations or property damage.
- The resident host is responsible for ensuring that his/her guests are familiar with and comply with all University policies and procedures. The resident host will be held responsible for any policy violations, damage, etc., attributable to their guest's actions.
- Guests not adhering to University policies may be asked to vacate the campus immediately.
- Residents and their guests are expected to be aware of the rights of other members of the residential community.

### **Overnight Guests**

Resident students are permitted to have overnight guests within these guidelines:

- Guests must be of same gender as the host, with the exception of younger siblings under the age of 13.
- A student's right to have an overnight guest is, in all cases, superseded by the roommates' and/or suitemates' right to the uninterrupted use of the room/suite. The privacy of the roommate/suitemate will take priority over an overnight guest.
- Residents may have up to two overnight guests per night. Between roommates, there can be no more than three overnight guests per room per night.
- The same overnight guest is limited to three consecutive nights and may not stay for more than fifteen nights per semester.
- Overnight guests must be registered with the University. Guests must be registered through the Overnight Guest Registration Form accessible through the QR codes in the residence halls.

### **Waste Disposal**

All room trash/recyclables must be deposited in dumpsters located next to the residence halls. Under no circumstances should room trash/recyclables be placed in common bathrooms or hallways.

### **Water-Filled Furniture**

Waterbeds and other pieces of water-filled furniture are not permitted because of the weight and potential of water damage. Students found with such furniture will be required to remove it immediately and may be charged for any resulting damage. The University assumes no liability for damage to student property resulting from violations of this policy.

### **Weights**

The University does not permit weight benches or large exercise equipment (commercial or handmade) in the residence halls due to structural load concerns and safety risks. Students found with such equipment will be required to remove it immediately at their own expense. The University assumes no liability for injuries resulting from violations of this policy.

## ACADEMIC SERVICES

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### Americans with Disabilities Act (ADA)

Please see ADA under University Procedures.

### Academic Success Center

Located on the first floor of Bernardine Hall, the Academic Success Center (ASC) ensures that diverse students receive expert academic support in a respectful, knowledgeable, and inclusive manner. The ASC houses the offices of Academic Support Services, and Accessibility Services – all working closely with the Navigation Office and Graduate and Adult Education (GAE) Student Success staff. The ASC staff supports Alvernia students at all levels and instructional sites, as well as those enrolled in partnership and employer-based cohorts.

### Academic Support Services

Peer and Professional Tutors are trained to support students in core subjects and assist with writing assignments. The training program is certified by the College Reading & Learning Association (CRLA). See all current information on <https://tinyurl.com/ASCalvernia>.

Tutoring and Writing Support are free and offered in-person, online, and asynchronously (eTutoring) from Sunday to Thursday until 8:00 pm and Fridays until 4:30 pm. Appointments are made via <https://alvernia.mywconline.com>.

WRITING SUPPORT is available for any writing assignment at every stage of the writing process. For sentence-level editing, students should use their Alvernia email address to sign up for Grammarly Pro version for free at [www.grammarly.com/edu](http://www.grammarly.com/edu). Let's have a human conversation to develop your scholarly voice!

STUDY GROUPS meet weekly with a trained leader to interactively review material in historically challenging courses.

ACADEMIC COACHING offers FREE, individualized meetings to improve time management, notetaking, test taking, brain-based learning strategies, and organizational skills essential for academic success.

TUTOR.COM is FREE through the link in your Canvas course menu. You can connect with a subject expert online—24 hours a day, 7 days a week—via chat or voice, even for a quick question. Live Writing Support and Spanish-language tutoring is also available for free.

### Office of Accessibility Services

Is responsible for reviewing documentation and approving accommodations for students who have a disability that may challenge their academic success, such as a learning, physical, social-emotional, or temporary disability. See ADA under University Procedures for details.

### Navigation Office

Navigators are success coaches providing individualized support to guide, motivate, and inspire students towards personal and academic success. Students can meet as regularly as they would like with a Navigator and can also drop by the office on the first floor of Bernardine Hall with a question. Navigators help in many ways. Connecting you to campus resources, promoting academic skills and strategies, identifying roadblocks to

academic success, networking, and skill building, planning your educational journey and promoting self-reflection and advocacy are ways the Navigation Office can assist you throughout college.

First-Year students are assigned a Navigator through their SEARCH Seminar class. During this time, Navigators assist them with their transition into college life at Alvernia. Students may stay in contact with their Navigator until they graduate.

Navigators also design Academic Success Workshops to improve students' performance with techniques for studying, time management, note taking, test anxiety and building a personal brand which can be applied to every program of study.

### **Career Development**

The Office of Career Development is located in Bernardine Hall Suite 103, next to the Academic Success Center suite. Career Development supports and assists all undergraduate and graduate students as well as returning adult learners and alumni in all phases of career readiness and decision-making. Resources and staff are available to aid in career counseling and exploration, searching for internship or experiential learning opportunities, self-assessment and career goal formulation, and preparation and search for jobs after graduation and graduate school. Office hours for the Office of Career Development are from 8:30 a.m. to 4:30 p.m. Monday-Friday every week, year-round. Students or alumni looking to make an appointment can log in to their account in Handshake and use this link ([alvernia.joinhandshake.com/stu/appointments](https://alvernia.joinhandshake.com/stu/appointments)) to make an appointment with Career Development staff. Students or alumni unable to find an appointment matching their availability should call or email to obtain assistance in scheduling an appointment. Students should also watch bulletin boards and check their campus email regularly for announcements of special career development programs, campus-wide career fairs, and opportunities.

Many of the resources and handouts from Career Development are available on Handshake or the website at <https://www.alvernia.edu/student-life/career-development>. Student employment opportunities (i.e. Work study, etc.) are posted throughout the academic year on Handshake (please use this link - [app.joinhandshake.com/edu/employers/322122](https://app.joinhandshake.com/edu/employers/322122)). Career Development offers hundreds of free and paid internships being posted by employers as well as post-graduate full-time employment opportunities accessible to students on Handshake, in Berks County, across Pennsylvania, and elsewhere in the country. Students are encouraged to think strategically about their time on campus during their academic career and how they can use that time to become ready after graduation to find and obtain an amazing first career position that will be a great fit for them. Additional online services and resources, which can be found in the Resources section of Handshake, include Big Interview, an interviewing practice platform, Focus 2 Career, a tool to explore your interests, skills, values, and goals, What Can I Do with This Major?, a resource that links academic majors to careers, and Parker Dewey, a micro-internship postings site.

### **GAE Student Success Advisors**

Graduate and Adult Education oversees student success advisors also providing individualized support to guide, motivate, and inspire online adult education students pursuing bachelor's degrees towards personal and academic success. Students are assigned to a success advisor based on their online program of study. Students can meet regularly with their Student Success Advisor virtually or by phone and also receive assistance for course registration. Connecting you to campus resources, promoting academic skills and strategies, identifying roadblocks to academic success, networking, and skill building, planning your educational journey, and promoting self-reflection and advocacy are ways the GAE Student Success team provides scaffolded support for AU's online student population.

### **Information Technology**

The Information Technology (IT) Department is located on the second floor of the Library and is open Monday through Friday from 8:00 a.m. to 4:30 p.m. After hours and weekend support may be requested by leaving a detailed message at 610-927-2008 or toll free out of the local area at 855-402-3828. IT maintains all University-owned computers and administers the University network. The department also assists students with connection to the University network, problems with network or e-mail accounts, or other questions relating to the use of technology in the educational environment.

Labs for student use are available in Bernardine Hall and the Library. Wireless access to the Internet is available in the Library, Bernardine Hall lobby, the Student Center, the Physical Education Center, the Upland Center, and residence hall study rooms, as in most campus locations. Computers are also available at satellite sites for student use.

### **Library**

Circulation and General Information: 610-796-8223; Library Learning Commons Help Desk: 610-796-5517; Email: [library.calendar@alvernia.edu](mailto:library.calendar@alvernia.edu).

The Dr. Frank A. Franco Library Learning Center houses resources and staff to support students both on and off campus. The virtual library is open 24/7 at (<http://www.alvernia.edu/library>). In addition to a large print collection, the library offers full-text access to over 20,000 academic journals and eBooks. Virtual access off campus is available to all students by password.

Students may check out books and audio-visual materials with their ID cards and will find class reserve material for reading or viewing at the Circulation Desk. Copy machines and a public fax are also available in the building. For materials not available in print or electronically, students may request an Inter-Library Loan. Forms can be found on the web site as well as in the library. Students are responsible for all materials checked out on their ID cards and will be charged for lost, damaged, or overdue materials in accordance with the Library's policy. [Read the policy here.](#)

In the Stairway Mini-Café students can fix a hot drink and get a snack from the vending machine, read the newspaper or a magazine, and check-out a movie from a growing collection containing both classics and current films. The Browsing Room with its collection of popular fiction and non-fiction as well as comfortable furniture and interesting displays is also a welcoming spot.

Wireless throughout, the Franco Library Learning Center is a welcoming place for quiet study or group collaboration. Laptops are available for check-out, and students may use them anywhere in the building.

The Library Learning Commons on the first floor of the building brings together students, librarians, and technologists in a rich learning environment where help is near. In the Bonaventure Reading Room, students will find a variety of sofas, chairs, and tables for individual study or for group work. Poetry readings and other special events are often held in the Bonaventure Room.

The staff of the department of Library and Educational Services include professional librarians, multi-media specialists, and technologists, many who hold advanced degrees and all who are dedicated to encouraging learning and student success. Librarians also teach information literacy classes and are available to students and faculty to assist with specific assignments or major projects.

**Library Service Hours**

Sunday: 12:00 – 8:00 pm  
Monday – Thursday: 8:00 am – 8:00 pm  
Friday: 8:00 am - 4:30 pm  
Saturday: Closed

**Registrar's Office**

The Registrar's Office organizes the master course schedule, assists with course registration, maintains student academic records, issues transcripts, and confirms eligibility to receive degrees. The following services are available in the Registrar's Office in Bernardine Hall: enrollment verifications, schedule changes (add/drop), permission forms for directed or independent study, and requests for academic overload, repeat/delete, change of address, change of major, graduation application, and others. Current students should visit the Registrar's Office page on [myAlvernia](#) for forms and helpful information

Questions regarding schedule changes or the rotating schedule of graduate or continuing education courses should be directed to the Graduate and Adult Education Office, 610-796-8280.

## ACADEMIC POLICIES AND PROCEDURES

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For additional academic policy information, please consult the [University Course Catalog](#) and [Alvernia University Policies webpage](#).

### Academic Calendar

Consult the [Academic Calendar](#).

### Academic Grievance Procedures

#### Traditional Undergraduate

The Student Grievance Committee attends to grievances of an academic nature. The Committee is composed of faculty members and two students. The Student Government Association selects the students. The Committee members elect the chair. The Committee is involved in a student grievance only if the proper steps have been followed as outlined herein:

1. Student discusses situation/grade with instructor within 20 calendar days of occurrence/disagreement.
2. If no accord is reached, the student has seven calendar days to meet with the department chair.
3. Again, if no accord is reached at this level, the student has seven calendar days to consult with the division dean.
4. At this point, if there has been no resolution, the division dean apprises the student of the right to appeal to the Student Grievance Committee.
5. Student has seven calendar days to contact the Chair of the Grievance Committee. The Committee hears a case only after there has been an attempt to rectify the situation through discussion with the student, Instructor, Department Chair and/or the Division Dean. If no solution is reached at this point, the student files a grievance.
  - a. The Committee Chair contacts the faculty member who was named in the grievance.
  - b. Both the student and faculty involved submit separately, in writing, their versions of the grievance. Each has seven calendar days to submit same.
  - c. Student and faculty involved may also be asked to separately discuss the nature of the grievance at a meeting of a majority of the committee.
  - d. The Committee works with the Provost, academic advisers, and the Associate Vice President of Student Affairs & Dean of Students to make students and faculty aware of its procedures.
  - e. The Committee takes into consideration guidelines for ethical behavior as stated in this handbook, the Faculty Handbook and the University Catalog.
  - f. After thoroughly reviewing the grievance, the Committee issues a written recommendation of a resolution to the Provost who reviews the decision.
  - g. If the Provost feels that the decision was reached according to proper guidelines, written notification of the decision is issued to the student and the faculty member involved in the grievance.
  - h. Should the Provost note that stated procedures were not adhered to, he or she notifies the Committee Chair who returns to the Committee members to rectify the errors.
  - i. The Committee reaffirms the recommended resolution or proposes a revised recommendation. The Chairperson maintains a complete file of grievances and committee proceedings.

#### Adult Education

The Student Grievance Committee attends to grievance of an academic nature for undergraduate students in the Adult Education Program. The Committee is composed of faculty members and two students. The Student

Government Committee selects the students. The Committee members elect the chair. The Committee is involved in a student grievance only if the proper steps have been followed as outlined herein:

1. Student discusses situation/grade with the instructor within 20 days calendar days of occurrence/disagreement.
2. If no accord is reached, the student has seven calendar days to meet with the department chair.
3. Again, if no accord is reached at this level, the student has seven calendar days to consult with the division dean.
4. At this point, if there has been no resolution, the division dean apprises the student of the right to appeal to the Student Grievance Committee.
5. Student has seven calendar days to contact the Chair of the Grievance Committee. The Committee hears a case only after there has been an attempt to rectify the situation through discussion with the student, instructor, department chair and/or division dean. If no solution is reached at this point, the student files a grievance.
  - a. The Committee Chair contacts the faculty member who was named in the grievance.
  - b. Both the student and faculty involved submit separately, in writing, their versions of the grievance. Each has seven calendar days to submit same.
  - c. Student and faculty involved may also be asked to separately discuss the nature of the grievance at a meeting of a majority of the committee.
  - d. The committee works with the Provost, academic advisors, and the Associate Vice President of Student Affairs & Dean of Students to make students and faculty aware of its procedures.
  - e. The Committee takes into consideration guidelines for ethical behavior as stated in this Handbook, the *Faculty Handbook*, and the *Undergraduate Catalog*.
  - f. After thoroughly reviewing the grievance, the Committee issues a written recommendation of a resolution to the Provost who reviews the decision.
  - g. If the Provost feels that the decision was reached according to proper guidelines, he/she issues written notification of decision to students and faculty member involved in the grievance.
  - h. Should the Provost note that stated procedures were not adhered to, he/she notifies the Committee Chair who returns to the Committee members to rectify the errors.
  - i. The Committee reaffirms the recommended resolution or proposes a revised recommendation. Chairperson maintains a complete file of grievances and committee proceedings.

## **Graduate**

The Student Appeals and Affairs Committee of Graduate Academic Council attends to graduate student grievances of an academic nature. Business days are defined as Monday through Friday, excluding holidays when the University is closed.

To file a formal grievance, the student must obtain the Graduate Course Grade Appeal Form on MyAlvernia and follow the grade appeal process below. A grievance file will accompany each step of the process.

The process for a course grade appeal is as follows:

1. The student must first attempt to resolve the grading grievance with the course instructor within seven business days of the grade issuance. If no accord is reached within those seven days, or if the student provides evidence of having reached out to the instructor via Alvernia email at least twice without response, the student may proceed with the formal grievance.
2. The student shall submit the completed Graduate Course Grade Appeal Form with supporting evidence in person or via Alvernia email to their Graduate Program Coordinator/Director within seven business days of the grade issuance. A grievance file will accompany each step of the process. The student is responsible for monitoring their Alvernia email daily throughout the entire grievance process.

3. The Graduate Program Coordinator/Director shall meet with the student to discuss their grievance within seven business days of the appeal receipt by such Graduate Program Coordinator/Director. The Graduate Program Coordinator/Director will discuss the grievance with the instructor of record and collect any additional evidence the instructor would like to submit. If the instructor on record is the Graduate Program Coordinator/Director, see #4. The student shall receive emailed written notification of the decision from the Graduate Program Coordinator/Director who heard the grievance within seven business days of the meeting.
4. The student may appeal the decision to the Department Chair within seven business days of the date the email decision was sent to the student.
5. The Department Chair shall meet with the student to discuss their grievance within seven business days of the decision appeal receipt. The student shall be sent an email written notification of the decision within seven business days of the meeting with the Department Chair.
6. The student may appeal the decision to the Graduate Student Appeals and Affairs Committee within seven business days of the date the email with the Department Chair's decision was sent to the student.
7. The Graduate Student Appeals and Affairs Committee shall review the appeal. The Committee reserves the right to request further documentation from the student or the course instructor. Furthermore, the Committee will invite the relevant Chairs/Directors/Associate Deans to the meeting in which the appeal is heard as invited guests to ensure that their perspective is heard. The purpose of which is to provide data that will inform the Committee's decision. The requested information shall be submitted within seven business days of such emailed request. If the student or the course instructor is unavailable outside of the spring or fall semester, the Committee shall make the decision based on the provided documentation. The student shall be sent an email written notification of the decision within fourteen business days of the receipt of the appeal.
8. The student may appeal the decision to the College Dean within seven business days of the date of the Graduate Student Appeals and Affairs Committee email to the student. The Dean reserves the right to request further documentation from the student or the course instructor. The requested information shall be submitted within seven business days of such request. If the student or the course instructor is unavailable outside of the spring or fall semester, the Dean shall make the decision based on the provided documentation. The student shall be sent an email written notification of the decision of the College Dean within fourteen business days of the receipt of the student appeal to the College Dean.
9. The student may appeal the decision to the Provost within seven business days of the College Dean's decision email notification to the student. The Provost reviews the decision and issues a final decision within seven business days of the receipt of the student's appeal to the Provost. The student shall be notified of the decision via Alvernia email with "return receipt requested".

### **Academic Honesty and Honor Code Policies and Procedures**

In keeping with the mission statement of Alvernia University regarding moral integrity and a values system, as well as with the Student Code of Citizenship (included herein) regarding academic honesty, Alvernia has adopted Policy #4.4530 Honor Code Policy and Procedure. Students must consult the policy and procedure to ensure adherence to both.

### **Academic Notice/Dismissal**

Please consult the Undergraduate or Graduate Catalogs.

### **Academic Responsibility**

You are solely responsible for assuring that your academic program complies with the policies of the University. Advisers are provided to assist you with planning your academic program and to assist with course selection and registration. You are expected to meet with your adviser regularly to discuss your goals and course selections for each semester. You must meet with your adviser prior to registration each semester for approval of your course selections and/or when adding or dropping a course. Advisers are not authorized to change established policy of the University. For Graduate and Continuing Education students, only the Vice President of Adult and Graduate Education has the authority to authorize approval of any exception to or variance from established University policy, and any such exception or variance must be confirmed in writing.

### **Add/Drop Period**

Please consult the current academic calendar published on Alvernia's website.

### **Attendance**

Attendance at and participation in class are integral parts of the educational process and are significant factors in academic achievement. Students are expected to attend all classes, take exams during scheduled times, and are responsible for all material covered in class. Instructors are expected to report students whose absences are excessive. At the discretion of the instructor, excessive absences or tardiness may result in a lowered grade or failure for the course. Individual instructors may identify more specific attendance requirements, which will be clearly stated in the course syllabus. Attendance guidelines are as follows:

1. The course syllabus should clearly state the instructor's policies on attendance, tardiness, class participation, make-up tests, etc. The syllabus should be distributed at the first class meeting.
2. Instructors have the right to include class attendance and participation as part of the final grade.
3. A student who has been absent or foresees the need to be absent has an obligation to consult with the instructor to make arrangements regarding missed work.
4. A student who stops attending class without completing an official withdrawal form will be assigned a failing grade for the course, effective as of the official withdrawal date for that semester and remains responsible for all tuition and fees associated with such course.
5. Students are not customarily excused from class for sports practice. However, they should be excused to participate in intercollegiate competition/activities provided that they inform instructors in advance of the class(es) to be missed and that they make arrangements regarding missed work due to NCAA Regulations.
6. A student who misses a test because of an intercollegiate competition/activity should be provided an opportunity to take a make-up test, at a time and place scheduled by the instructor. Customarily, the make-up test should be given within a week of the original exam.
7. Failure to attend class may result in the loss of University housing.

### **College of Health Sciences Drug Use Policy**

It is the policy of the Alvernia University College of Health Sciences to require students to undergo a drug screening test for the presence of drugs or controlled substances immediately prior to clinical rotations. The cost for this mandatory drug screening is covered by student fees (except Exercise Science, Healthcare Science, and Physician Associate programs). Additional drug screening may be required at any time during a student's enrollment. Indications may include but are not limited to observed impaired behavior, delay in obtaining drug screening past prescribed deadline, and/or frequent absences or tardiness. The cost for drug screen for cause

will be the student's responsibility. Students may also be required to participate in any random drug screening protocol implemented by clinical agencies.

The College of Health Sciences enforces a zero-tolerance drug policy, including the use of marijuana. While medical marijuana is legal in the state of Pennsylvania, marijuana is classified as a schedule 1 drug under federal law. As a result, any drug screen positive for marijuana will not be overturned by 3rd party testing or medical review officers, even if a medical marijuana card is presented.

### **PURPOSE**

Chemical impairment compromises both the educational process and patient safety. The clinical facility and Alvernia University are responsible to the patients and families in the care of the student healthcare provider. Early identification, evaluation, and treatment are in the best interests of our students and the patients they serve.

### **PROCEDURE**

Drug screenings, along with their results, must be completed prior to the start of the clinical rotation and as directed by the clinical or fieldwork directors or coordinators. Students are responsible for their own transportation to the laboratory site.

- Designated COMPLIO laboratory locations must be utilized.
- A 12-panel drug screen will be performed according to national and COMPLIO laboratory standards (includes marijuana, opiates, cocaine, amphetamines, PCP, barbiturates, benzodiazepine, methaqualone, propoxyphene, methadone) with confirmatory testing if indicated for positive tests on the same original sample.
- A photo ID is required.
- Every student will sign a release to allow COMPLIO to report results directly to the Academic Compliance office.
- It is the student's responsibility to report any medication that may result in a positive screen, prescribed by their physician, to the laboratory during the testing.

A student taking medication on the 12-panel screen under the direction of a physician must provide proof of current prescription through the COMPLIO Health Portal. In some cases, the student must obtain a written explanation and release to perform direct patient care from the prescribing physician. A medical review officer will determine if the drug screen "Passes" and the student is released to participate in activities at the clinical site, including clinical rotations, fieldwork, and internships.

### **FAILED DRUG SCREEN (POSITIVE) RESULTS:**

Any of the following outcomes will be deemed unsatisfactory and will result in immediate mandatory administrative withdrawal from all clinical coursework.

- **Positive Drug Screen:** Any detection of illegal substances or prescription medications not authorized for the student, including medical marijuana.
- **Diluted Sample:** A specimen that is deemed insufficiently concentrated, suggesting possible tampering or intentional dilution.

### **No Retesting Policy**

Once a drug screen result is deemed unsatisfactory, no retesting will be granted under any circumstances.

### **Programmatic Communication**

The medical review officer will communicate a failed drug screen report to the College of Health Sciences Department Chairperson or designee. The student will be referred by the department chairperson or designee to the Office of Community Standards to schedule a consultation and possible disciplinary action in accordance with the Student Code of Citizenship.

### **Withdrawal from Clinical Coursework**

Students who receive an unsatisfactory drug screen result must withdraw from all clinical coursework immediately. Failure to comply with this requirement will result in administrative withdrawal from the program. If the student holds a professional license, the University may be obligated to report the unsatisfactory drug screen results to the applicable licensing agency as required by law or licensing board regulations. The University will provide the student with notice via Alvernia email at least two business days prior to making any such report, except where immediate reporting is required by law.

### **Return to Clinical Program**

Students who have been withdrawn from clinical coursework due to an unsatisfactory drug screen result may be eligible to return in a subsequent semester when the clinical course is offered. However, the University is not obligated to offer a course off-schedule to accommodate the student's return.

### **Evaluation and Treatment Requirement**

Prior to resuming clinical practice, students must complete a comprehensive evaluation and any recommended treatment by a licensed healthcare provider. The student must provide documentation from the treating provider confirming that they have been cleared to return to clinical practice.

### **Refusal to Obtain Evaluation**

**Failure** to obtain the required evaluation and treatment will result in immediate dismissal from the College of Health Sciences program.

### **Repeat Offenses and Programmatic Dismissal**

If further evidence of chemical impairment during any Alvernia University classroom, laboratory, clinical practice, or field activity is substantiated, the student will be dismissed from the program.

## **Undergraduate and Graduate Catalogs**

The undergraduate and graduate catalogs effective for the year you matriculated at Alvernia University is the catalog that determines your academic requirements. The degree requirements listed in that catalog remain in effect until you graduate, though the University reserves the right to change graduation requirements as necessary and may specifically provide an exemption from a requirement. If you leave the University and return at a later time, the catalog in effect at the time of your return becomes your new standard. Most academic policies, descriptions of courses, the academic calendar and a list of faculty and their credentials can be found in the catalogs. Also, information on financial aid, the billing office, student life and the University in general can be found in the catalog.

### **Delaying a Class**

For any class and any instructor, unless the class is notified of a specific time of arrival, students are to wait 20 minutes for the instructor's arrival.

### **Financial Aid Standards of Satisfactory Academic Progress**

Please find policies in the Student Financial Services Handbook in myAlvernia – Student Financial Services or consult the University Undergraduate or Graduate Catalogs.

### **Grading**

Please consult the University Undergraduate or Graduate Catalog.

### **Graduation Application**

When nearing completion of your University studies, you must file an application for graduation. The application is available on myAlvernia (sign in, click on the Academics tab and the click on Graduation Form. All students must comply with the following application deadlines: by October 1 for May graduates, by December 1 for August graduates, and by March 1 for December graduates. (Note: The reason for these early due dates is to provide the student with sufficient time to address any deficiencies.)

### **Registration**

All course selection information for the following semester will be available on Self-Service prior to open registration. Graduate and Adult Education two-year schedules are available in the Graduate & Adult Education office upon request. Day students may pick up a registration advisement form prior to meeting with their advisor. Advisors authorize students for registration after discussing their schedules together. The date of open registration is posted on the Registrar's Office web page. Students may contact either the Registrar's Office or the Graduate & Adult Education office to register for credit overloads or directed studies.

### **Withdrawal (Non-Medical)**

Please consult the University Undergraduate or Graduate Catalog.

## STUDENT SERVICES

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### Athletics and Recreation

Alvernia University is a member of the Middle Atlantic Conferences (MAC), the Eastern Collegiate Athletic Conference (ECAC), and the National Collegiate Athletic Conference (NCAA), Division III. The University has adopted the Division III philosophy statement as its own and follows the guidelines of Division III. The Alvernia University Department of Athletics and Recreation is part of the NCAA CHAMPS/Life Skills Program which focuses on five key areas: Academics, Athletics, Community Service, Career Development, and Personal Development.

The Department of Athletics and Recreation Student Athlete Handbook outlines the philosophy of athletics at Alvernia and the responsibilities of the athletic director, coaches, staff, and student-athletes. Information in the handbook includes, but is not limited to the following: academic eligibility and responsibilities, social responsibilities, community service, class absence, insurance, varsity status, awards, role of athletics in the total University mission, student-athlete advisory committee, and NCAA summary regulations and certification information.

Of vital importance to the student athlete is the University's policy concerning Class Absence for Athletic Competition. This policy is stated in the Student Athlete Manual, and Coaches Manual, which is distributed to every student athlete and coach prior to their season. It is the student athlete's responsibility to know and abide by the policy.

Alvernia University sponsors intercollegiate teams for men in cross-country, football, lacrosse, tennis, soccer, basketball, baseball, track and field, and golf. Women's teams include cross-country, lacrosse, volleyball, equestrian, field hockey, basketball, tennis, soccer, track and field, and softball. The coed Spirit Team and the Ice Hockey Team are club sports run under the Department of Athletics and Recreation

The Department of Athletics and Recreation also offers a variety of recreation and wellness opportunities throughout the year. The recreation activities are organized by the Intramural Athletic Board (IAB), which is a student run organization. All intramural and wellness opportunities are available to Alvernia students, faculty, and staff.

The Physical Education Center (PEC) on main campus is equipped with a Cardio Center and a Strength Training Room. The Campus Commons is home to the Fitness Center and Dance Studio. These areas include a dance/yoga room, treadmills, elliptical machines, rowers, steppers, bicycles, and strength training equipment. There is a Strength Training Room in the Physical Education Center (PEC) which contains platforms, racks, free weights, etc. Both of these facilities are open to all students, faculty, and staff. Graduate and Adult Education students are encouraged to take advantage of the services provided by the Center.

Cardio Center and Strength Training hours of operation changes are posted during University breaks on the Athletics website.

### Bookstore

Textbooks, supplies, software, clothing and gifts can be purchased online. Texts may be picked up in the bookstore or shipped directly to your home or place of business. In addition, Alvernia University novelties,

greeting cards, snacks, drinks, postage stamps, phone cards, pre-pay phones, electronics and general health and beauty items are available in the store.

### **Internet Textbook Orders**

Students may place orders on the bookstore's website by logging on to ([www.alvernia.bkstr.com](http://www.alvernia.bkstr.com)). Follow the prompts to select your campus locations, department, course, and section number. Enter your course information and when the textbooks become available, you will receive an email with your shopping cart populated with the books needed for the courses entered. Please select 'yes' when asked if it is okay to substitute "New" if "Used" is unavailable to avoid canceling your order.

### **Methods of Payment**

- Orders placed on the internet can be paid by credit card or financial aid (when applicable).
- In store payment options include cash, credit card, checks, money orders or financial aid (when applicable).

If your bookstore order will be covered by your financial aid, please indicate your Alvernia University Student ID number; in store payment, bring your student ID card. *For more information on how to use your financial aid at the bookstore, please see the help sheets under myAlvernia – Student Financial Services.* Select "Pre-pay/store pick-up" and your order will be waiting for you in the bookstore or select "ship" to have your order sent directly to your home or place of business. When you visit the bookstore to pick up your order, please show your ID and you will receive your bookstore order.

The bookstore is located on the first floor of the Student Center at the main campus in Reading.

#### Bookstore Hours

Monday-Thursday: 9:00 a.m. to 6:00 p.m.

Friday: 9:00 a.m. to 4:30 p.m.

Saturday: Open for special events

Extended hours of operation are in effect during the first week of the semester.

Summer hours vary. Please call the Bookstore for specific hours of operation.

### **Campus Shuttle**

Shuttles are handled by the Alvernia Facilities department and run on a continuous loop during scheduled class times. However, public safety will provide transportation, subject to availability and operational constraints, from any area of Alvernia University whenever the shuttles are not running or are unavailable. Transportation will include, but is not limited to, all parking lots, Upland Center, Ken Grill, Angelica, P.E.C., the Plex and Student Center. To call for a transport locate any call box on Campus and press the black call button or call Public Safety directly at 610-796-8350 (please program number into cell phone for quick reference).

### **Dining Services**

Alvernia's food/dining service is provided by Aramark Collegiate Hospitality as Pack Hospitality. All members of the Alvernia community may use the dining facilities. Students on a meal plan must present their Alvernia ID/Meal card to the cashier at each meal. See the University Procedures section for exceptions.

Main Dining Hall (Student Center)  
(Operating hours during the Academic Year)

We offer continuous access to the dining hall within the hours listed below.

Monday through Thursday: 7:00 am – 8:00 pm

Breakfast: 7:00 am – 10:30 am; light breakfast: 10:30 am – 11:00 am;

Lunch: 11am-3pm; light lunch: 3:00pm-4:30 pm;

Dinner: 4:30pm – 8pm

Friday: 7:00 am – 7:00 pm

Breakfast: 7:00 am – 10:30 am; light breakfast: 10:30 am – 11:00 am;

Lunch: 11:00 am - 3:00 pm; light lunch: 3:00 pm - 4:30 pm;

Dinner: 4:30pm – 7:00 pm

Saturday: 8:30 am – 7:00pm

Continental breakfast: 8:30am – 11:00 am;

Brunch: 11:00 am-2pm; light lunch: 2:00 pm - 4:30 pm;

Dinner: 4:30 pm – 7:00 pm

Sunday: 11:00 am – 7:00 pm

Brunch: 11:00 am – 2:00 pm;

Light lunch: 2:00 pm - 4:30 pm;

Dinner: 4:30pm – 7:00 pm

**Kestrel Café (Bernardine Hall)**

Monday – Friday: 7:00 am – 1:30 pm

**Courtside Café (PEC)**

(Students can use their meal equivalency Monday – Friday between 9:00 am – 8:00 pm)

Monday - Friday: 9:00 am – 11:00 pm

Saturday & Sunday: 6:30 pm– 11:00 pm

**Freshens (PLEX)**

(Students can use their meal equivalency all day.)

Monday – Thursday: 10:00 am – 7:00 pm

Friday: 10:00 am – 5:00 pm

Commuter students and visitors are welcome to eat on a cash basis in the main dining hall, Kestrel Café, Courtside Café, and the Upland Center. Satellite sites have student lounge areas and vending machines available for students.

For more information about dining on-campus at Alvernia University, please visit our website:

<https://www.alvernia.edu/student-experience/residence-life-dining/dining>.

**Safety and Security**

**Office of Public Safety**

Alvernia strives to maintain a clean, safe, healthy environment for its students, faculty, and staff to enjoy. While the University cannot guarantee the safety of all members and expressly disclaims any such guarantee, Alvernia has taken reasonable steps to promote a safe environment conducive to the campus community's successful

academic and co-curricular pursuits. The Public Safety Office is located in the Library and is staffed 24 hours a day each day of the year and conducts both vehicular and foot patrols. All officers carry cell phones and two-way radios while on patrol and are CPR AED and first aid trained.

The Office of Public Safety is a clearinghouse for lost and found items and reported activities and emergencies occurring on campus. All reported incidents are thoroughly investigated, including those related to alcohol and other drugs. The Alvernia community is alerted to safety concerns through written and verbal communications including bulletin boards, flyers, meetings, the Alvernia newspaper and an electronic alert system. If a murder, forcible rape, or other serious crime is alleged to have occurred on the campus, the President or his designee shall notify the campus community in a manner that protects the alleged victim's right to privacy but alerts the community to potential danger. Members of the Alvernia community who witness or may be victimized by a criminal offense should contact the Public Safety Office at once.

Alvernia, in being true to its mission and its responsibility to its students and employees, is dedicated to doing what is necessary both to maintain the dignity of students and employees and to teach them to accept their roles as responsible men and women in society. Alvernia, therefore, not only distributes this section of this publication as required by law, but also sponsors crime prevention talks presented by local policing authorities and/or the University's Criminal Justice Club. Discussions of safety procedures and practices are included in new student and employee orientation programs. For campus residents, more frequent reminders are provided.

Students may contact local police (911) at any time a crime is witnessed or suspected. Students are strongly encouraged to also notify Public Safety so a Safety Officer can escort police to the appropriate place on campus and coordinate the University's response. Investigations are co-conducted through the process of sharing information.

### **Campus Call Boxes**

Alvernia University has installed emergency call boxes on campus. Call boxes may be utilized in an emergency; pressing the red button immediately sends a distress signal to the Reading Police Department and also notifies Alvernia Public Safety.

### **Omnilert**

In an effort to ensure the safety and security of the Alvernia community, the University has adopted Omnilert. Omnilert is a campus-wide, text-messaging and voicemail system that will enable Alvernia University officials to communicate with registered students, faculty, staff, and parents in the event of a catastrophic emergency. Registration is free and can be accessed by clicking on the Omnilert icon, located on the home page of the University website.

### **Safety Escorts**

Alvernia Public Safety offers free escort service for students and staff who need assistance traveling on or around campus. Students and staff should call x8350 to arrange this service.

For additional information concerning safety and security contact:

Public Safety Office: 610-796-8350

Office of Residence Life: 610-796-8320

### **Student Financial Services (SFS)**

Student Financial Services is composed of financial aid and student account professionals who serve as part of the student services team. Student Accounts professionals work with student account receivables, invoices, collections, holds, and payments. Student Financial Aid professionals administer and disburse financial aid, package aid eligibility, reconcile funds with the Dept of Ed, and counsel students and families through the financial aid process. The financial aid administrators at Alvernia University are members of NASFAA (National Association of Student Financial Aid Administrators). The SFS Office is located in Bernardine Hall on the main campus and can be reached at [sfs@alvernia.edu](mailto:sfs@alvernia.edu). The Student Financial Services Handbook can be found on myAlvernia – Student Financial Services. Students may review their invoices and financial aid information through Self Services – Finances.

### **Student Refunds**

Please see the Student Financial Services Handbook in myAlvernia – Student Financial Services for more information about refunds or consult the University [Undergraduate](#) or [Graduate Catalog](#).

### **Study Abroad**

The Study Abroad Program offers a wide variety of study abroad options for Alvernia University students. From one week faculty led programs to independent study abroad options that can last from four weeks to a semester, there is something for almost everyone. Interested students are encouraged to view the current options on the Alvernia Study Abroad website <https://www.alvernia.edu/student-experience/study-abroad> and schedule a meeting.

Alvernia strives to fully comply with all federal mandates concerning international students. The International Admissions Office is responsible for the required record keeping as defined by Immigration and Customs Enforcement (ICE), Student and Exchange Visitor Information System (SEVIS), and the Department of Homeland Security. Prospective international students can obtain further information about how Alvernia reports information to federal agencies by contacting the Senior Director of International Recruitment at 610-568-1473.

International students who have questions related to their acclimation to the United States should contact the Senior Director of International Recruitment at 610-568-1473. For additional information, please consult the [International Student Handbook HERE](#).

## INVOLVEMENT OPPORTUNITIES

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### Registered Student Organizations (RSOs)

Campus organizations offer opportunities to pursue the interests of all students, to meet new people, learn various skills, and develop leadership abilities. A list of registered student organizations is available on the Promoting Alvernia Experiences (PAX) platform, accessible through Logins on the university web site.

### Student Government Association

The Student Government Association (SGA), located in the Campus Commons, provides an opportunity for individual leadership and development through the exercise of personal and group responsibility. In cooperation with the administration and faculty, SGA also determines suitable standards for University and community life. The officers are elected annually by the student body and are responsible for collaborating with the Office of Student Activities in developing, funding, and overseeing student programming and initiatives. The Student Government Association also acts as an intermediary between the administration, faculty and staff, and the student body and maintains order on campus by recommending and proposing rules and regulations for the welfare of the University community. The SGA Constitution and By-Laws are located in the SGA office, the Office of Student Activities, and on Alvernia University's Promoting Alvernia Experiences (PAX) platform.

### Development and Registration of Clubs and Organizations

Student organizations may function officially on campus only after their constitution and all required paperwork have been approved by the officers of the University and SGA and is on file with the Office of Student Activities. Procedures for registration of student organizations are available below.

The development and registration of new student organizations may involve a commitment of University funds and possible exposure to liability. The purpose of the policies and procedures, outlined below, is to ensure that a senior administrative officer of the University grants the ultimate approval of new student organizations.

Alvernia University strives to support the integration of formal classroom knowledge with extracurricular learning experiences. Through the formal recognition of student groups and organizations, the University encourages students to develop student organizations, programs, and events that support and exemplify the core values and the mission of the University.

#### Categories of Student Organizations:

- Extracurricular Organizations
  - Student-led and sponsored
- Co-Curricular Organizations
  - Directly associated with or sponsored by University academic departments or programs
  - Two types of co-curricular organizations
    - Academic student organizations
    - Academic honor societies, which may restrict membership to those students majoring in a specific discipline and may state the minimum grade point standards to be considered for membership
- Co-Institutional Organizations
  - Organizations that are directly sponsored by a University administrative department or division

- Sponsoring department(s) or division(s) may dictate criteria and selection for membership, although neither criteria nor selection may violate the University's statement of non-discrimination in the Student Handbook

**Membership Types:**

- Undergraduate Registered Student Organizations
  - Members of undergraduate RSOs are full or part-time day division students
- Graduate and Adult Education Registered Student Organizations
  - Members of Graduate and/or Adult Education Registered Student Organizations are students enrolled through the College of Graduate and Adult Education
- All-University Registered Student Organizations
  - Members of All-University Registered Student Organizations can be any combination of undergraduate, adult education and graduate students

**Requirements for Registration:**

1. The petitioning student organization must have a minimum of ten students with the same interest to form a student organization. These students must be current students in good standing, academic or otherwise.
2. The petitioning student organization must find an advisor who is a full-time faculty or staff person who is willing to be an active advisor for this organization. Adjunct faculty and part-time staff are permitted to co-advise an organization with a full-time faculty or staff member. An adjunct faculty member must receive special approval through the Office of Student Activities to be the sole advisor of any RSO. Advisors will be held accountable to Alvernia for the proper function of the student organization, including following the mission, abiding by its own bylaws, and spending its funds properly, as well as following University policies.
3. Petitioning student organizations must complete the *Forming a New Student Organization* form on PAX which includes submitting an organization constitution, a list of members and advisor information.
4. After submitting the *Forming a New Student Organization* form on PAX, the student representative will be contacted to review and if necessary edit their constitution. After the constitution has been reviewed, the organization representative must obtain all required signatures for approval as listed below.
  - It is recommended that constitutions include the following items. A constitution template is available in the Office of Student Activities.
    - A name for the organization
    - Criteria for membership (grades, athleticism, honors, etc.)
    - A statement of purpose (goals & objectives)
    - Dues or expenses one might incur, if applicable
    - Qualifications for holding office must be specifically stated
    - Responsibilities of the officers specifically stated
    - Election/appointment process (must be held annually)
    - Stated provisions in case of vacancy in elected office
    - Impeachment procedures clearly stated
    - Every organization is required to have at least one meeting per a month
    - A quorum shall be more than 50% of the membership
    - Procedures for amending constitution

**Organization Approval Process:**

1. Student Organization representatives will submit all required registration materials to the Executive Director of Student Engagement and Leadership. The Executive Director of Student Engagement and

Leadership will ensure all registration criteria have been met. The registration materials should be signed, where appropriate, by the club representative and advisor. **It is the responsibility of the student organization representative to secure all required signatures.**

2. **(Co-Curricular Organizations Only)** The petitioning student organization will then submit a copy of all registration materials to the appropriate academic department chair. The academic department chair will review the material and indicate endorsement or reply to the petitioning student organization with any concerns or issues. Adjustments will be made by club representatives as necessary or needed.
3. **(Co-Institutional Organizations Only)** The petitioning student organization will then submit a copy of all registration materials to the appropriate department or division chair. The department or division chair will review the material and indicate endorsement or reply to the petitioning student organization with any concerns or issues. Adjustments will be made by student organization representatives as necessary or needed.
4. The petitioning student organization will then submit a copy of all registration materials to the Associate Vice President of Student Affairs & Dean of Students, or designee. The Associate Vice President of Student Affairs & Dean of Students endorsement or reply to the petitioning club with any concerns or issues. Adjustments will be made by student organization representatives as necessary or needed.
5. After receiving all of the required signatures, the petitioning student organization must submit all completed paperwork to the Executive Director of Student Engagement and Leadership.
6. **(Undergraduate and All-University Organizations)** The Executive Director of Student Engagement and Leadership will submit the signed paperwork and constitution to the SGA President. Upon initial endorsement of the above-mentioned bodies, the petitioning student organization officers will be invited to an SGA meeting in order to present their student organization proposal and answer questions. After presenting the organization and answering questions, the SGA Council of Presidents will vote to approve or deny the request to form.
7. **(Graduate and Adult Education Organizations)** The Executive Director of Student Engagement and Leadership will submit the signed paperwork and constitution to the designated School of Graduate and Adult staff member and Dean of Graduate and Adult Education for approval.

### **Rights and Responsibilities of Student Organizations**

#### ***Registered student organizations will have the following opportunities:***

- To request space for meetings, student organization activities and events, subject to availability and University approval.
- To post information about the student organization (must follow the University-wide posting policy as stated in the Student Handbook).
- To apply for funding from SGA. SGA registration does not guarantee SGA or institutional funding. All funding decisions are made at the sole discretion of SGA and/or the University, and organizations have no entitlement to funding regardless of registration status or prior funding history.
- Access to an organization page on PAX where the organization will be able to maintain membership, advertise events, store organization documents, as well as access to all other organization features including the finance feature. The finance section on PAX is the account process the organization will use. Organizations are not permitted to open an off-campus bank account.

#### ***To maintain registered status Organizations must:***

- Support and exemplify the core values and mission of Alvernia University.
- Hold annual elections which will include a minimum of a President and a Treasurer/Budget manager which are the two positions required by SGA, as well as any other pertinent executive positions of the organization.

- Submit the annual student organization re-registration form that would include current advisor, organization and officer information within the first month of the fall semester. The student organization must maintain a minimum of ten students considered in good standing, academic or otherwise.
- The President of All-University and Undergraduate Registered Student Organizations must attend all Council of Presidents meetings and SGA required functions.
- Provide regular updates to SGA regarding organization activities, meetings, fund-raising efforts, etc.
- Submit all appropriate paperwork for off campus trips. All off-campus events are nonetheless considered a University activity and therefore all rules and policies apply.
- Participate in and support events and programs such as, but not limited to, the Involvement Fair, Christmas Party at Milmont Elementary School, maintaining a PAX page, and assisting with Spring Fling events.
- A current copy of the student organization's constitution must be on file with SGA and on the organization's PAX page.

***The following guidelines identify the rights of Alvernia University in relationship to registered organizations:***

- The University has the right to regulate the time, place and manner of all activities and to prohibit any activity that is deemed by the administration to create a clear and present danger to a person or property.
- The University has the right to sanction, disband, restrict or limit any activity of any student organization or participating individual for violations involving misuse of funds, activities contrary to the University's mission and core values, failure to follow University policies and procedures, unauthorized use of the University logo or name, etc.
- The University has the right to restrict funding or other institutional support (including SGA funding) for particular activities that are deemed contrary to the institution's mission.

#### **Social Media Policy for Clubs and Organizations**

Please refer to the [Social Media Policy](#).

#### **Reporting Violations**

Alvernia requests and strongly urges students and registered clubs and organizations to report any violations or possible or perceived violations to the Office of Student Activities or the Office of Community Standards.

## APPENDICES

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### Appendix A: Legal Standards

#### 1. Drugs: State Penalties

- a. **The Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. § 780-101 et seq.** Prohibits the manufacture, distribution, sale or acquisition by misrepresentation or forgery of controlled substances except in accordance with the Act, as well as the knowing possession of controlled substances unlawfully acquired. Penalties for first-time violators of the Act range from 30 days imprisonment, a \$500 fine or both for possession or distribution of a small amount of marijuana or hashish, not for sale, to 15 years imprisonment or a \$250,000 fine or both for the manufacture or delivery of a Schedule I or II narcotic.
- b. **18 Pa. C.S.A. §§ 6314, 6317** A person over eighteen years of age who is convicted for violating The Controlled Substance, Drug, Device and Cosmetic Act, shall be sentenced to a minimum of at least one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor. If the offense is committed within 1000 feet of the real property on which a university is located, the person shall be sentenced to an additional minimum sentence of at least 2 years total confinement.
- c. **The Pharmacy Act of 1961, 63 P.S. § 390-8** It is unlawful to procure or attempt to procure drugs by fraud, deceit, misrepresentation or subterfuge or by forgery or alteration of a prescription. The first offence is a misdemeanor, with a maximum penalty of one year's imprisonment, or \$5000 fine, or both. For each subsequent offense, the maximum penalty is three years imprisonment, a \$15,000 fine, or both.
- d. **The Vehicle Code, 75 Pa. C.S.A. §3802 et seq.** A person is prohibited from driving, operating, or being in actual physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance, or both, if the driver is thereby rendered incapable of safely driving, operating or being actual physical control of the movement of the vehicle or if the alcohol concentration in the individual's blood or breath exceeds the stated limits. Penalties for first-time violators of the Act range from probation and a \$300 fine or both to a maximum of six months imprisonment, a \$5000 fine or both. Penalties for subsequent violations increase to a maximum of five years imprisonment, a \$10,000 fine, or both. In addition to the above penalties, the court has discretion to order any or all of the following: highway safety training, drug or alcohol treatment, community service, use of an ignition interlock device and/or suspension of operating privileges.

#### 2. Drugs: Federal Penalties and Sanctions for Illegal Possession or Trafficking of a Controlled Substance

##### a. **21 U.S.C.A. §844 (a)**

For a first conviction, any person who violates this subsection may be sentenced to a term of imprisonment of not more than one year and a fine of \$1000, or both.

After one prior conviction for any drug, narcotic or chemical offense, a term of imprisonment of at least 15 days, not to exceed 2 years and a fine of at least \$2500.

After two or more prior convictions under this subchapter, a term of imprisonment of at least 90 days, not to exceed 3 years, and a fine of at least \$5000.

A person convicted for the possession of a mixture or substance which contains cocaine base shall be imprisoned for at least 5 years and not more than 20 years, and a fine of a minimum of \$1000, if:

1. The conviction is a first conviction and the amount of the mixture or substance exceeds 5 grams
2. After a second conviction and the amount of mixture or substance exceeds 3 grams, and;
3. After a third or subsequent conviction and the amount of mixture or substance exceeds 1 gram.

Any person convicted under this subsection for the possession of flunitrazepam (Rohypnol) shall be imprisoned for not more than 3 years, and fine of at least \$5000.

b. **21 U.S.C.A. §§853 (a)(2)**

**Property subject to criminal forfeiture**

Any person convicted of a violation of this subchapter punishable by imprisonment for more than one year shall forfeit any personal property used, or intended to be used to facilitate the commission of a controlled substance.

c. **21 U.S.C.A. § 881 (a)(4)(7)**

**Subject property**

Forfeiture or all conveyances, including vehicles, boats, aircraft which are used, or are intended for use, to transport, or to aid in the transportation, sale, receipt, possession, or concealment of all controlled substances or raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance or listed chemical.

d. **21 U.S.C.A. §862**

**Drug Possession**

Any person who is convicted under State or Federal law involving the possession of a controlled substance shall be ineligible for any or all Federal benefits, such as student loans, grants, contracts and professional and commercial licenses, for up to 1 year. Upon a second or subsequent conviction for such an offense, a person shall be ineligible for all Federal benefits for up to 5 years.

**Drug Trafficking**

Any person who is convicted under State or Federal law involving the distribution of controlled substances shall be ineligible for any and all Federal benefits, such as student loans, grants, contracts and professional and commercial licenses, for up to 5 years. Upon a second or subsequent conviction for such an offense, a person shall be ineligible for all Federal benefits for up to 10 years; and upon a third or subsequent conviction, be permanently ineligible for all Federal benefits.

e. **18 U.S.C.A §922 (g)**

It is unlawful for any person who is an unlawful user or addicted to any controlled substance to possess, receive or transport any firearm or ammunition.

**3. Alcohol: State Penalties and Sanctions**

The Pennsylvania Liquor Code, 47 Pa., C.S.A., 1-101 et seq., controls the possession and sale of alcoholic beverages within the Commonwealth. The Code as well as portions of the Pennsylvania Statutes pertaining to crimes and offenses involving minors, 18 Pa., C.S.A. 6307 et seq., provides the following:

a. **Title 18: Pennsylvania Crimes Code Section 5505 Public drunkenness**

A person is guilty of a summary offense if he appears in any public place manifestly under the influence

of alcohol... to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity.

Penalty	1st Offense
Fine	0 - \$300
Jail	0 – 90 days

**b. Section 6307 Misrepresentation of age to purchase liquor or malt or brewed beverages**

A person is guilty of a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violations if they being under the age of 21 years, knowingly and falsely represents himself to be 21 years of age or older to any licensed dealer, distributor or other person, for the purpose of procuring or having furnished to him, any liquor or malt or brewed beverages.

Penalty	1st Offense	2nd Offense	Subsequent Offense
Fine	0 - \$300	0 - \$500	0 - \$500
Jail	0 – 90 days	1 year	1 year
License Suspension	90 days	1 year	2 years

**c. Section 6308 Purchase, consumption, possession or transportation of liquor or malt or brewed beverages by a minor**

A person commits a summary offense if they, being less than 21 years of age, attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages.

Penalty	1st Offense	2nd Offense	Subsequent Offense
Fine	0 - \$300	0 - \$500	0 - \$500
Jail	0 – 90 days	0 – 90 days	0 – 90 days
License Suspension	90 days	1 year	2 years

**d. Section 6310.1 Selling or furnishing liquor or malt or brewed beverages to minors**

A person commits a misdemeanor of the third degree if they intentionally and knowingly sells or... furnishes or purchases with the intent to sell or furnish any liquor or malt or brewed beverages to persons less than 21 years of age.

Penalty	1st Offense	2nd and Subsequent Offenses
Fine	\$1000 - \$2500	\$2500
Jail	0 – 1 year	0 – 1 year

**e. Section 6310.7 Selling or furnishing nonalcoholic beverages to persons under 21**

A person commits a summary offense if he intentionally and knowingly sells or furnishes nonalcoholic beverages to any person under 21 years of age. As used in this section, the term “nonalcoholic beverage” means any beverage intended to be marked or sold as nonalcoholic beer, wine or liquor having some alcohol content but not containing more than 0.5% alcohol by volume.

Penalty	
Fine	0 - \$300
Jail	0 – 90 days

f. **Section 6310.2 Manufacture or sale of false identification card**

A person commits a misdemeanor of the second degree if he intentionally, knowingly or recklessly manufactures, makes, alters, sells or attempts to sell an identification card falsely representing the identity, birth date or age of another.

Penalty	1st Offense	2nd and Subsequent Offenses
Fine	\$1000 - \$5000	\$2500 - \$5000
Jail	0 – 2 years	0 – 2 years

g. **Section 6310.3 Carrying a false ID**

A person commits a summary offense for a first violation and a misdemeanor of the third degree for subsequent violations if they, being under 21, possesses an identification card falsely identifying that person by name, age, date of birth or photograph as being 21 years of age or older, or obtains or attempts to obtain liquor or malt or brewed beverages by using the identification card of another or by using an identification card that has not been lawfully issued to or in the name of that person who possesses the card.

Penalty	1st Offense	2nd Offense	Subsequent Offense
Fine	0 - \$300	0 - \$500	0 – 1 year
Jail	0 – 90 days	0 – 1 year	0 – 1 year
License Suspension	90 days	1 year	2 years

h. Sales without a license or purchase from an unlicensed source of liquor or malt beverages are prohibited

i. It is unlawful to possess or transport liquor or alcohol within the Commonwealth unless it has been purchased from a State Store or in accordance with Liquor Control regulations.

### **Appendix B: The Drug-Free Schools and Communities Act (1990)**

#### **Mission Statement**

Alvernia University, sponsored by the Bernardine Sisters of Saint Francis, continues to provide students with a Catholic, liberal arts, quality education. Within the framework of Franciscan, Christian values this education enhances the students; fullness of life, and prepares them for career and professional opportunities. Moreover, Alvernia University sees its mission as integrating Christian faith, learning, and commitment. It also concentrates on the total education and development of its students in academic knowledge, professional competency, social adequacy and value-oriented moral integrity according to principles of the Roman Catholic Church.

The very fabric of society—the quality of family life—is threatened by its members' abuse of drugs and alcohol. A continued abuse and dependence upon these substances are rendering people incapable of fulfilling “their responsibilities toward God, themselves, and society.” Drug and alcohol abuse by any member of the campus community, then, runs counter to the goals established in the mission and motto of Alvernia University.

The unlawful possession, use, or distribution of alcohol, illegal substances, or paraphernalia associated with such by students and employees on campus or at University-sponsored activities is strictly forbidden.

Failure to comply with this regulation, intoxication, or disorderliness or offensive behavior arising from the use of alcohol or drugs will result in disciplinary action. Sanctions include mandatory participation in an alcohol/drug education and/or assessment program, suspension, expulsion or termination, referral for treatment, and referral for prosecution.

### **Where to Find Help**

Recognizing that students and employees addicted to alcohol and/or drugs may wish counseling in this area, Alvernia University encourages them to visit the Counseling Office, the Medical and Counseling Center, the Campus Minister, the Associate Vice President of Student Affairs & Dean of Students, or the Human Resources Office. Confidentiality is strictly enforced as required by professional ethics. Referral to an outside agency is readily available. Students may remain on campus if they are capable of maintaining a satisfactory level of performance while participating in a drug and alcohol rehabilitation program.

Students and employees taking prescription drugs that may affect their class or work performance or behavior on campus should report this fact to the Director of Health Services.

### **Health Risks**

The University expects that students and employees on campus be responsible for knowledge of both federal law and the state law of Pennsylvania concerning alcoholic beverage and illegal substances. A brief review of Pennsylvania laws and penalties follows, along with an attached list of federal penalties.

#### **State Law of Pennsylvania on Alcoholic Beverages**

It shall be unlawful for a person less than twenty-one (21) years of age to attempt to purchase, consume, possess or transport an alcohol or malt or brewed beverage within the Commonwealth. The State Liquor Control Board operates under the State Law. It is a misdemeanor to unlawfully transfer a registration card for the purpose of falsifying age to secure malt or alcoholic beverages."

In 1988, the Commonwealth of Pennsylvania enacted legislation (Act 31) to address the problem of underage drinking. Students must be aware of the serious penalties involved.

The Controlled Substance, Drug, Devise & Cosmetic Act (Act 64) enacted by the Commonwealth of Pennsylvania on April 14, 1972, prohibits the manufacture, sale or delivery, holding, offering for sale, or possession of any controlled substance.

See Appendix A: Legal Standards for specific offenses and penalties.

### **The University Commitment**

Alvernia University, then, in being true to its mission and to its responsibility to its students and employees, is dedicated to doing what is necessary both to maintain the dignity of students and employees in the University and to teach them to accept their roles as responsible men and women in society.

### **Pennsylvania State Compliance with P.S. §20.303**

Pennsylvania law is specific regarding the information that must be provided on an annual basis to students and employees of institutions of higher education.

1. The number of undergraduate and graduate students enrolled is unavailable.
2. The number of students living in University residence halls is unavailable.
3. The number of non-student employees is unavailable.

4. The Senior Vice President and Chief Operating Officer is responsible for supervising the Public Safety Office.
5. Officers from KRE Security staff Alvernia's Public Safety Office. Security is provided twenty-four hours per day. A full-time Director of Public Safety is employed by the University. During the academic year and upon request at other times, KRE provides three full-time officers for each shift. In the summer and when classes are not in session two full-time officers per shift are provided. KRE is responsible for the training of security personnel. Standard guard training is provided along with additional on-site training prior to assignment to Alvernia University including first aid and CPR certification. In-service training is provided by KRE throughout the year.
6. Alvernia's public safety officers do not have police powers and do not carry weapons. They work in conjunction with the police department of the City of Reading.
7. Alvernia University follows state and federal law in its reporting of criminal incidents to local and state police.
8. Campus academic buildings are open to students, employees, and the public during business hours and while classes are in session. No building is open past 11 p.m. Buildings are locked and checked by public safety officers when they are closed for business. These policies are explained further on page 7 of this handbook. Exterior access to residential buildings is controlled by card access, and access to the townhouses is controlled by keys.
9. Criminal actions and other emergencies should be reported to the Public Safety Office by calling 610-796-8350. Instructions for contacting an officer by pager are given at that number. Students and staff are also encouraged to call 911 in the event of an emergency.
10. The University's policy regarding alcohol is found in this handbook.
11. The University's policy regarding illegal drugs is found in this handbook.
12. The University's policy regarding weapons is in this handbook.
13. A description of the communication media used to inform the campus community about security matters is found in this handbook.
14. Alvernia University publishes its "crime statistics" as required by state and federal law. This information can be found on the University's website ([www.alvernia.edu](http://www.alvernia.edu)). Click on the drop-down menu on the home page and select "crime statistics." The Office of Public Safety also has the University's crime statistics on file. Visit the Public Safety Office on the second floor of the Student Center.
15. The security considerations used in the maintenance of campus facilities, including landscaping, groundskeeping, and outdoor lighting is found in this handbook.
16. Information concerning the types of student housing available (on-campus, off-campus, single room, double, group, single gender, co-ed, undergraduate, etc.) is available through the Office of Residence Life and in this handbook.
17. Policies on housing assignments and requests by students for assignment changes are available through the Office of Residence Life and in this handbook.
18. Policies concerning the identification and admission of visitors and student housing facilities are available through the Office of Residence Life and in this handbook.
19. Measures to secure entrances to student housing facilities are explained in this handbook. In addition, exterior access to residential buildings is controlled by card access, and access to the townhouses is controlled by keys.
20. The standard security features used to secure doors and windows in the students' rooms are locks on the windows and door access to residential buildings is controlled by card access, and access to the townhouses and the rooms with the townhouse is controlled by keys.
21. A description of the type and frequency of programs designed to inform student housing residents about having security enforcement procedures is located in this handbook.
22. Policies and any special security procedures utilized for housing students during low-occupancy periods, such as holidays and vacations, is located in this handbook.

23. Policies on the housing of guests and others not assigned to the student housing or not regularly associated with Alvernia University is located in this handbook.

### **Appendix C: Computing Resources Acceptable Use Policy**

#### **Introduction**

The Alvernia University Campus Network refers to all computing resources provided by the university, including computers, servers, and network peripherals such as printers, scanners, and copiers, connected through a high-speed backbone to each other and the Internet, plus the programs and services hosted by or contracted through the University for use by the University community. Network connectivity has become crucial for the successful completion of many academic, research, and institutional objectives, and so it is incumbent upon users of the network to understand their responsibilities in order to protect the security, integrity, and availability of all institutional systems and the privacy of other users. Alvernia University provides many computing facilities to help students, faculty, and staff to complete their work and enjoy the benefits broad Internet access can provide, and therefore guidelines are necessary to help ensure these benefits are fairly available to the entire campus community.

This Acceptable Use Policy enumerates the rules that apply to all users of the Alvernia University Campus Network and University issued and maintained computing equipment and devices. All members of the campus community and guests are expected to follow these rules, encourage others to do the same, and to report willful violations.

Alvernia University reserves the right to suspend computing privileges and remove inappropriate materials from its networks.

#### **Comply with Intended Use of the Alvernia University Campus Network**

The Alvernia University Campus Network and associated network resources and equipment are intended to assist the campus community to achieve all aspects of the university's mission, including research, education, and administration. All Alvernia University Policies that govern academic and personal behavior on campus are equally applicable to campus computing resources. Additional policies and guidelines may also apply to users of particular systems and equipment on the campus network or that communicate with resources on the network. Similarly, federal, state, and local laws concerning libel, harassment, privacy, copyright, theft, and threats also apply to computing environments and may be prosecuted by law-enforcement officials.

#### **Maintain the Integrity and Availability of the Alvernia University Campus Network**

Users are not permitted to interfere with or alter the integrity of any part of the campus network, equipment, systems, or computing services. Examples include, but are not limited to:

- permitting another individual to use your account, either by sharing your credentials or by logging in on behalf of another
- impersonating other individuals in communication or as the author or editor of electronic documents or data
- attempting to capture or crack passwords or encryption
- destroying or altering data, programs, equipment, or electronic assets belonging to other users
- attaching devices to the network or to any system on the network that disrupt the normal activity of the network (for example, wireless routers, servers, or other network appliances, which can block normal network access for others)

Users are not permitted to restrict or deny access to any part of the Alvernia University Campus Network by legitimate users, or to deny service to legitimate users through deliberate attempts to saturate the network or overwhelm equipment or programs.

The Alvernia University Campus Network and associated computing resources may not be used for private financial gain.

### **Preserve the Privacy of Others**

The facilities of the Alvernia University Campus Network, systems, equipment, and services encourage sharing of information and collaboration. Security mechanisms have been put in place for protecting information from unintended access, from within the system or from the outside. However, these controls alone cannot guarantee privacy in a large community of users with a free flow of information. It is therefore each user's responsibility to be aware of the risks and to protect the privacy of themselves and others.

Invasions of privacy can take many forms, often inadvertent or well-intended. All users of Alvernia University computing resources and services should make sure that their actions don't violate the privacy of other users, if even unintentionally.

Some specific areas to watch for include the following:

- Don't try to access the files or directories of another user without clear authorization from that user. If you are in doubt, ask the user.
- Don't try to intercept or otherwise monitor any network communications not explicitly intended for you. These include logins, e-mail, user-to-user dialog, and any other network traffic not explicitly intended for you.
- Don't make personal information about individuals publicly available without their permission. Understand the privacy laws regulating higher education (e.g., FERPA, conducting research involving human subjects, etc.) and respect them.
- Don't create or use any shared programs that secretly collect information about their users. Software on the Alvernia University Campus Network is subject to the same guidelines for protecting privacy as any other information-gathering project at Alvernia University.
- Don't remotely log into (or otherwise use) any workstation or computer not designated explicitly for public logins over the network -- even if the configuration of the computer permits remote access -- unless you have explicit permission from the owner and the current user of that computer to log into that machine.

Users should understand that uses of computing and communications resources are not completely private. The normal operation and maintenance of the University's technology resources require backup and caching of data and communications, logging of activity, monitoring of general use patterns, and other such activities that are necessary to provide quality service. The University treats stored information as confidential, examining the contents only on those occasions where it is required by law, or is necessary to protect the health, safety and welfare of the University community or society at large, as determined by senior university officials.

### **Respect the Intellectual Property of Others**

Alvernia University faculty, students, and staff produce and consume a vast amount of intellectual property, much of it in digital form, as part of our education and research missions. This includes materials covered by the patent, copyright, and trademark laws, as well as license or other contractual terms.

Members of the Alvernia University community also avail themselves of a wide variety of entertainment content that is available on the Internet, most of which is protected by copyright or subject to other legal restrictions on use.

All users need to ensure that their use of all these protected digital materials respects the rights of the owners.

Digital materials that may be covered by this rule, without limitation, include: data/databases, e-books, games, journals and periodicals, logos, movies, music, photographs and other graphics, software, textbooks, television programs, and videos.

You should assume that all materials are subject to these legal protections, and may have some restrictions on use. Ease of access, downloading, sharing, etc. should not be interpreted as a license for use and re-distribution. In particular, peer-to-peer file sharing does not grant license for the unauthorized exchange of copyrighted materials, including movies, music, games, and software programs.

**Don't use the Alvernia University Campus Network to harass anyone in any way.**

Users are not permitted to use Alvernia University computing resources to create, transmit, or store threatening or harassing materials. Do not produce or transmit any work which has the intent or effect of unreasonably interfering with an individual or group's educational or work performance at Alvernia University or elsewhere, or that creates an intimidating, hostile or offensive educational, work or living environment. This includes viewing, sending, or making available offensive materials, unless such activity is appropriate for academic or work purposes.

For example, sending email, text or other electronic messages, creating electronic materials, or publishing information or graphics to the web which unreasonably interfere with anyone's education or work at Alvernia University may constitute harassment and is in violation of the intended use of the system.

**Don't misuse the Alvernia University Campus Network, communications, or collaboration tools.**

Alvernia University provides electronic communications and collaboration services to members of the Alvernia University community. These services include, but are not limited to, electronic mail, mailing lists, message boards, websites, wikis, blogs, and social networking sites. Some members of the Alvernia University community access similar, or additional, 3rd party services on the Internet.

Users of all such services have a responsibility to use these services properly and to respect the rights of others in their use of these services, and in accordance with published terms of service.

All relevant Alvernia University policies apply to the use of these services, but in particular:

- Users may not use these services in violation of any applicable law.
- Any use that might contribute to the creation of a hostile academic or work environment is prohibited.
- Any unauthorized commercial, non-profit, political, or advocacy use not required for coursework, research or the conduct of Alvernia University business is prohibited.
- Any non- incidental personal use such as advertisements, solicitations or promotions is prohibited.
- Users may not produce, publish, transmit or distribute materials using the Alvernia University Campus Network that are contrary to the mission and identity of the university.
- Alvernia University administrators have authorized certain individuals to send electronic mail to large groups such as all faculty, all staff, all undergraduates, specific classes or groups, alumni, etc., or to the entire Alvernia University community. These lists are not open to posts from the community at large. When using mailing lists, it is the sender's obligation to understand the service and protect the recipients from intentional or unintentional disclosure of private information.

Any content posted to a service that is inconsistent with these rules, as well as unsolicited mail from outside of Alvernia University (e.g., SPAM), may be subject to automated interception, quarantine and disposal.

### **Protect Computing Resources**

Computing resources are supplied for authorized Alvernia University community members to fulfill educational, research and administrative goals. You should not take any action that violates that purpose. In particular:

- Don't use computing resources in a way that interferes with their intended use.
- Don't install additional software on any university computer without prior approval from University staff.
- Don't use computing resources for private financial gain, as by sale of the use of such resources, or by use of the system in support of any profit-making scheme not explicitly intended to serve university purposes and approved for this purpose.

Alvernia University computer equipment is accessible to a large number of people and is consequently vulnerable to overuse and damage. The following guidelines are designed to help protect this equipment.

- Don't eat, drink, or bring food or liquids into computing labs or in proximity Alvernia University computer equipment.
- Don't turn the power off on Alvernia University computer equipment unless explicit signage in the classroom or computer lab indicates you should do so.
- Don't reconfigure computer equipment, either hardware or software.

### **Assure Fair Access to University Printers**

Printing is a shared resource; restraint must be exercised when using university printers to ensure fair access for everyone to this important service. Generally, be courteous in your use of the labs and printers, but in particular:

- Do not overload the printer queue with multiple jobs.
- Break large jobs into smaller sections and send them to the printer individually.
- Do not use the printers to produce many copies of a large document; use a copy service for this purpose.

### **Process for handling Acceptable Use Complaints**

- Copyright Infringement  
If the university receives a complaint from a copyright owner or his/her agent that a student is unlawfully making available digitized copies of copyright protected material through use of the university's computer networks the complaint will be forwarded to the student, who will be asked to remove the copyrighted material. Repeat offenses may lead to loss of Internet privileges and referral for disciplinary action.
- Other Misuses of Computer Resources  
Complaints about student misuse of computer resources should be referred to the Director of Information Technology in The Center for Planning and Information Technology, who may attempt to informally resolve the complaint with the student. If the complaint cannot be resolved informally or is deemed to be egregious, the matter may be referred for disciplinary action under the Student Code of Citizenship

## MAIN CAMPUS AND SATELLITE SITE DIRECTORY

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### **Main Campus-Reading Pennsylvania**

Undergraduate Center  
400 Saint Bernardine Street  
Reading, PA 19607  
1-800-ALVERNIA  
610-796-8200

***Office Hours:***

*Monday through Friday: 8:00 am to 4:30 pm  
Saturday by appointment*

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### **Main Campus-Reading Pennsylvania**

Graduate and Adult Education  
540 Upland Avenue  
Reading, PA 19611  
610-796-5187  
gradandadult@alvernia.edu

***Office Hours:***

*Monday through Friday: 8:00 am to 5:00 pm  
Evening Appointments Available Upon Request*

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### **Alvernia University-Pottsville College Towne**

500 Progress Ave  
Pottsville, PA 17901  
570-385-2382

***Office Hours:***

*Monday through Thursday: 9:00 am to 8:30 pm  
Friday: 9:00 am to 4:00 pm  
Saturday by appointment*

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### **Alvernia University-Reading College Towne**

John R. Post Center  
401 Penn Street  
Reading, PA 19601

***Office Hours:***

*Monday through Friday: 7:00 a.m. to 7:00 p.m.*